National Anti-Slavery Standard.

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Selections.

From Blackwood's Magazine, for January.

SLAVERY AND THE SLAVE POWER IN THE UNITED STATES OF AMERICA.

[CONCLUDED FROM LAST WEEK'S STANDARD.]

As *an enemy to just social legislation*, Slavery exhibits herself in nearly every legal enactment which bears on the condition of the coloured race. The sanctity of the marriage tie is denied them, the schoolmaster is forbiden to teach them, even the messages of the gospel are in many districts studiously withheld from them. The torture or murder of a slave is rarely visited with punishment; his testimony against his master is inadmissible in a court of justice; and as to his own condition, it has been decided by Chief-Justice Sharpey, of the Supreme Court of Mississippi, "that, once a slave, he is a slave for ever; and that, whatever the hue of the child, even the slave-owning father has in that State no power to emancipate his own offspring."*

And that Slavery *fosters unjust social prejudices*, is testified by the unhappy position of the free coloured people in the free as well as in the slave States. This class of men, yearly augmenting in numbers and increasing in intelligence, are an additional and growing source of uneasiness, especially to the slave States. Connected with the slave by blood and by sympathy, inheriting the same sense of wrong, suffering in their social position from the same white lords, they become more formidable as their knowledge enlarges; and the imagination of the threatened naturally magnifies the danger manifold. The number of this class of the population in

1790 was	59,466
1830 "	318,733
1850 "	419,173

—all more or less educated and intelligent, and inheriting "the best blood of the United States." Of these free coloured, Pennsylvania, Maryland, and Virginia contain the greatest numbers, and in Virginia especially they have become a source of much disquietude. The following table shows their number in each of the States which contains more than 15 000.

Maryland	74,000
Virginia	53,000
Pennsylvania	53,201
New York	47,448
North Carolina	27,271
Ohio	25,930
New Jersey	23,093
Delaware	17,957
Louisiana	15,685

The condition of these free coloured people is unhappy in the extreme. As objects of suspicion in the slave States, they are universally denied the privileges of free citizenship, and the several State legislatures occupy themselves upon proviso after proviso, with the view of not only preventing their increase, but of expelling them in mass from their several territories. One would think the surest way of disarming their hostility would be to grant them the usual privileges of free-born American citizens, and thus to separate them in suffering and in interest from the slaves. Disfranchised and discontented as they are, they represent the grievances of the whole coloured race, their mouthpiece at once, and their natural advisers. In the free States their position is little less galling. It is the due liberty and right of every British or American citizen to choose his own associates, and to make friends of, or to pass by, whomsoever he may choose, and so the pure white may not be compelled to make a companion of the man of mixed blood in America. But this does not justify the withholding of civil rights from the free coloured man, or the inflicting upon him of the many social indignities to which the European traveller is astonished to see him subjected, in cities which boast of the intelligence of metropolitan Boston or New York.

III. But our space reminds us that we must hasten to the third form of retributive justice, by which the United States are now visited for the inconsistency of their paternal legislation. Among the bugbears which assailed the fathers of the Revolution, was the horror of an aristocracy such as existed in, and, according to their idea, tyrannised over England as well as the other States of Europe. All their new institutions were framed with the design of for ever excluding such a dominant body from the States of the Confederation. But though an aristocracy of hereditary honours has been rendered impossible, and the hills of public distinction are by the constitution equally open to all who choose to climb, they have in reality been unable to prevent the growth of a political power in the States more absolute than that of any European aristocracy—almost as uncontrolled by public sentiment as that of an Asiatic potentate—and in the hands of a class of men, the idea of submission to whom is most abhorrent to British feelings. To this ruling authority the name *slave power* has been applied, and the term is meant to express "that control in and over the Government of the United States which is exercised by a comparatively small number of persons, distinguished from the other twenty millions of free citizens, and bound together by a common interest, by *being owners of slaves*." As the growth and actual dominancy of this power in a professedly republican and democratic country, is the most extraordinary actual result of Slavery, the least understood in this country, and yet the most deserving of general consideration, especially by the mass of the British people, we shall as briefly as possible explain its nature, its basis, and the kind of control it exercises equally over the affairs of the separate States, over those of the United Confederation, and over the opinions and proceedings of all public men.

We have already stated some of the grounds on which it has been concluded, that although the number of slaveholders, including men, women, and minors, may probably exceed a hundred thousand, yet that "a hundred thousand for the *slaveholding voters* is unquestionably a large estimate." But there are in all three millions of other free persons in the United States who are entitled to vote. How, then, can it be said, or by what means is it contrived, that the smaller number should control and direct the larger? To this question it is not difficult to give an answer. The hundred thousand slaveholders, were they equally divided among the fifteen slave States, would give an average of six or seven thousand to each. In the State of Kentucky, as we have seen, the number is nearly nine thousand. By this small body the property of the State is chiefly owned. They are the landholders in the slave States to a greater extent than the nobility and gentry are the owners of land in Great Britain and Ireland. They and their families are also the best instructed. They alone have the means of generally educating their children—of sending them to distant schools, and of maintaining them till their education is completed. In all countries the possessors of property and knowledge are the most influential. The slaveholders rule the slave States.

Besides, the slaveholders have votes in proportion to the number of their slaves. By the Federal Constitution, five slaves, in the apportionment of representatives, are reckoned equal to three free white persons. Hence, although the free population of the slave States in 1850 was only six and one-third millions, their representative population was eight and one-third millions; so that they send to Congress, in virtue of their slaves, a body of twenty representatives, in addition to the sixty-nine to which their white population entitles them. Then these eighty-nine men, being selected by the slaveholders, are all understood to be true to the claims and supposed interests of the slave-power. If not all actual slaveowners, they form a compact and generally unanimous body, who act together in behalf of Slavery, and, with the aid of their northern friends, can generally determine every question which concerns the interests of the slaveholding States. And should they fail, then, in the Upper House or Senate, in which each State is represented by two senators, they count thirty out of sixty-two votes, and thus determine, with almost absolute certainty, every question, whether it originate in the higher body, or be sent up to it from the Lower House.

So as to public offices. The President, for example, is elected by a college of two hundred and ninety-six votes, in which the slave States possess one hundred and twenty voices. Whatever the talents, virtues, and services of a public man, it is impossible for him to attain the last object of human ambition in the United States, unless he have the cordial support of this united and formidable body. They always have given, and always will give, their support to the candidate whom they believe they can most rely upon to carry out their peculiar views of internal and international policy. No matter what court the risen man may pay to the southern goddess, when he begins to fancy the prize of the Presidency not unattainable as the end of his intellectual struggles—no matter what sacrifice of principle he may make to secure the support of the southern lords, what efforts he may put forth in their behalf, measures pass in favour of their views, declarations falsify, opinions recant, or old friends shake off and disgust—when the hour of nomination comes, they will prefer before him a nameless man, whose antecedents bespeak consistency in southern sentiment, and from whose talents or conscientious convictions they have nothing to apprehend. Who laboured longer in their behalf than the popular and beloved Clay? who sacrificed more than the talented and broken-hearted Webster? who deserved more at their hands for his actual doings than brave old General Scott? Yet a Polk or a Pierce were lifted at once from comparative obscurity, and without a struggle placed in the high position to which these men had spent their lives in endeavouring to attain. Thus

"The slave power makes Presidents. The President and senators, by mutual concurrence, make heads of departments; presidents, heads of departments, and senators, make collectors, district attorneys, land agents, postmasters, and other salary-receivers. These make all sorts of subordinates, every one of them with a palm to be touched from the public chest, 'through all the classes of venality,' and every one of them, from high to low, with a noisy voice for the caucus, and a favour or a rod for some editor of a newspaper in town or village, according as he loudly cries up the creators or creatures of the slave power as patriots and sages, or is recusant enough to keep such words to something like their old-fashioned sense."—*Slave Power*, p. 8.

Of course, among the masses this secret influence of the slave power is unseen and unfelt; and in the possession of votes, and of a purely democratic form of constitution, the existence of a high degree of universal freedom is believed in, boasted of, and taught to the children in the catechisings of the day of "Independence." And, as regards State offices, a really liberty-loving and independent man may attain by his talents to considerable eminence. He may even, like Seward, fill the office of Governor of the Empire State; but here he stops. Let him enter the wider arena of Federal ambition, and new influences beset him to whatever walk of life he may belong. Is he a statesman?—then to become a cabinet minister, or head of a department, he must sympathize with the governing power. Is he a diplomatist?—foreign embassies are only open to their creatures. Is he a lawyer?—the seats on the bench of the Supreme Court are reserved for those favourites of the Senate whose past history and career are, in a Southern sense, irreproachable.

The system requires no further development. It is paramount in the slave States. In all that concerns Federal legislation and governmental action, *in reference to the slave interest*, it is paramount over the whole Union. Directly or indirectly, no class—scarcely even an individual—is beyond the reach of its influence, even in the northern States. New York and Boston are the centres of a mercantile and monied aristocracy, which bonds of mutual interest closely connect with the landed and slave aristocracy of the southern States. From these centres a controlling influence radiates through New England and New York, which leaves no body of men untouched. The pulpit, as well as the press, is either converted or silenced by its management.

"In most of our religious societies, a few men of property have their minister's livelihood very much in their power. If they choose to withdraw their pecuniary support, the burden falls too heavy on those who remain, and the minister must be impoverished or dismissed. Dismissal, besides involving the chance of impoverishment, is to a parish minister a great affliction in other respects. It tears him away from cherished associations of place and friendship, and compels him to leave work, on which he has expended his best efforts, unfinished, and the harvest of usefulness, to which he had looked with sanguine hope, unreaped. Everybody understands that. It comes upon many ministers, whenever such is the will of the wealthy members of their congregation. And it comes in terrible form. To a clergyman, with a wife and children about him, accustomed to a fair share of the comforts, not to say of the proper indulgencies, of life—with no means of providing for his family, except by the exercise of his profession—and commonly with an education, tastes, and habits, on his own part and on theirs, which make it more distressing for them than for many other persons to struggle with the hardships of narrow and uncertain means—the threat of being cast upon the wide world, if he stands up for Right and Humanity, has a fearful power."—*Slave Power*, p. 72.

Notwithstanding the apparent increase of power gained of late years by the free States in the Federal representation, the slave power was probably never more influential than at the present time. The proportion of members sent respectively by the free and slave States to the House of Representatives in Congress was—

	1832.	1852.
Slave States	101	89
Free States	142	148
Difference	41	59

—being a gain of eighteen votes by the free States. Yet the effect has only been to make the lessening body more united, more energetic, and more determined in their exertions to retain their influence, and if possible to regain their lost numbers in the House of Representatives and in the Senate. Every passage in the recent political history of the Confederation, whether domestic or foreign, manifests the influence of this energy and persevering determination. The compromise measures at home, the annexation of Texas, and the war with Mexico, are so many special illustrations of their energetic action.

Two reflections will occur to the readers of the above statements. The *first* is, how erroneous have been the opinions generally entertained among us, and the statements put forth as to the amount of actual personal freedom of thought and action within the territory of the United States. The power of registering a vote is no measure of a man's actual liberty. If, notwithstanding all the democratic forms of the United States constitution, and the safeguards with which the fathers of the Revolution hemmed it round, all free action is controlled and prevented by a secretly influential master-power, the name and form of a Republic avail nothing; and General Pierce, the puppet of the slaveholders, might as well have been elected life Emperor, as quadrennial President, of their wide dominions. The *second* reflection springs up when we think of the character of the governing body—on what basis their power rests. "They are distinguished from their fellow-citizens *only by holding property in slaves*." An aristocracy of talent, an aristocracy of birth, even an aristocracy of wealth, may be tolerated in a constitutional country; but an aristocracy of slaveholders appears to us the least desirable, and in sentiment the most intolerable form of a governing power to which a civilized community can be subjected. We are not so ignorant of physiology as to join the popular cry as to the necessary inefficiency of a hereditary aristocracy; but granting all that the most extreme British Radical can affirm upon this point, to what form of power would not even he rather submit than to one which has its origin only in the possession of absolute property in man?

None of our British parties can really sympathize with either of the leading parties in the United States. The Democracy in America goes for unrestrained progress in thought and action, for free trade, for Slavery, for annexation. "Buy where you can cheapest, and sell where you can dearest." This is General Cass's commercial motto. His Union-extension one is, "Swallow Canada and Cuba." Others, with still wider swallow, are prepared to gulp down Mexico also, with Central America and the Sandwich Islands, and in the mean time Japan. The Whigs take as their badge, *Thing as they are*; or, cautious progress, no more territory, discouragement of Slavery by the Federal Government, and the fostering of native industry. In the recent elections in the United States, the Democratic party have triumphed to an extent unprecedented in any previous contest for the supreme power. General Pierce, therefore, will enter into office with an amount of power which no President since the days of General Jackson has been able to boast.*

The present demands of the slave power are, *first*, that the so-called compromise measures, carried by Clay and Webster, shall be considered as final settlements of the Slavery question, *as far as they go*. And the Democratic party, in their conference at Baltimore, in 1852, resolved to "resist all attempts at renewing, in Congress or out of it, the agitation of the Slavery question, under whatever shape or colour the attempt may be made." In this demand, therefore, they are certain of the support of the Democratic party, as well as of the section of the Whigs known as the Union party, and who were the special supporters of the late Daniel Webster.

Second, The addition of new slave States to the Union, and through them the restoration of their supremacy in the Senate. With a view to this, it is understood, and was publicly acceded to by Mr. Webster, that Texas is to be divided, and at least four new slave States carved out of it. This alone would give them eight new votes in the Senate. Between Texas and Arkansas lies a tract of territory comprising no less than 70,000 square miles at present in the occupation of the Indians, out of which several new slave States are expected to be formed. And with a view to this, the slave party are now asserting the new doctrine, that all territory—instead of being free till its population is large enough to form a constitution, and pronounce upon the admission of Slavery—being the property of all the States alike, is open equally to all citizens for settlement with their property of every description, and that the government is bound to protect them. This doctrine, if received, would virtually annex to the slave States every territory in which slave-owners might choose to settle. It is hoped, also, that New Mexico and Utah will be admitted only as slave States; that Southern California will still be cut off by the line 36° 30′, and converted into a slave State; and that at least the province of Sonora, believed to be rich in gold and silver, may soon be detached from Mexico, and added to the States of the Union. But these are all contingencies depending, not so much on their own scrupulosity as upon the progress of circumstances, which cannot be forced. Thus, the State of Texas, which was inhabited under Mexican rule, was some time an independent country, and has already been upwards of ten years in the Union, has still only a total population of 205,000. Many years must elapse, therefore, before it can become so largely and so generally peopled as to admit of being subdivided into new States. A similar remark applies to Southern California, to the Indian territory, and probably also to Sonora and New Mexico. Hence the anxiety with which the eyes of southern politicians turn to Cuba and St. Domingo, in which a large population already exists, and which, therefore, could at once be split up into States, and admitted to all the privileges of the Union. On a review of the whole matter, therefore, we may reiterate the opinion we expressed at the beginning of the present article, that the Slavery question is not settled. It is neither settled as a question of internal policy and home quiet, nor as a question affecting foreign relations and external peace.

To such forms of actual and contingent retribution has the first Legislation of the American Confederation led; to fear, anxiety, and distrust of a growing coloured race; to a wide-spread lowering of the moral and social character; and to an apparently total subversion of individual political power and liberty. The more we compare our own condition and institutions with those of the United States, the more reason have we to rejoice in our own superior political and constitutional advantages—the more reason to hesitate and inquire, before we modify our own constitutional forms or social habits, with the view of squeezing them to an American pattern.

We add but a single observation more. In treating of this grave subject we have restrained our British feelings, and kept under the expression of political or party sympathies. In discussing a peculiarly American question, we have wished to speak candidly, equally without hard words or home bias—for, the more plainly the institution is seen, and the more calmly considered, the more influential will the study be on both sides of the Atlantic.

* It is at once an evidence and result of the state of this law and of feeling in Mississippi, that, though it contained in 1850 upwards of 300,000 slaves, it numbered among its population only 898 free coloured people.

* Jackson, on his second election in 1832, had a majority in the Electoral College of 152. Harrison, who died, had in 1840 a majority of 174. But Pierce had about 212.

NOTE TO THE ARTICLE ON SLAVERY IN OUR JANUARY NUMBER.

IN the article on *Slavery and the Slave Power in the United States of America* contained in the January number of the Magazine, we desire to correct a numerical error into which we were led by a mistake in the *American Almanac for* 1852, published by Little & Brown, of Boston. On consulting other authorities, since the article was written, we have discovered the mistake, and, as it is of some importance, we desire to rectify it.

The total population, and the relative numbers of slaves and freemen, in slave States in 1840 and 1850, were very nearly as follows. These numbers are either copied or calculated from *Fisher's Census of the United States for* 1850, 4th edition (New York, 1851), and may still be a few thousands in error:

	1840	1850.
Total population	7,289,967	9,586,812
Total slaves	2,486,138	2,178,055
Total freemen	4,883,829	6,408,757

Thus it appears that the free population of the slave States has increased, during the last decennial period, by about 1,600,000. Now, the error copied from the Almanac was in representing the free population,

In 1840, by	7,290,719
In 1850, by	6,393,757
Giving a diminution of about	0,896,961

Instead of an increase of 1 3-5 millions.

This mistake, we need not say, was on our part entirely unintentional. We certainly did feel some misgivings, against which, however, we placed the high character for accuracy, and our frequent experience of the value, of the *American Almanac*. We did not dwell much upon this deficiency in our remarks, though any conclusion drawn from it are, of course, by this correction set aside. The uneducated condition of the poorer among these whites, and of their children, remains, however, a most grave feature of the southern white population, out of which nothing but evil can come. In this ignorance, indeed, lies the true reply to the answer of the American ladies to the address from Stafford House. We may acknowledge both the praiseworthy efforts of the State of New York, in copying the free school system of Massachusetts, and giving education to all their citizens; and we may lament that we are as yet behind herself and New England, who, with no old habits to remove, and old establishments to alter, can proceed somewhat faster than ourselves even in what is good. But this does not touch the question of the slave. It opens rather a new one. The education of the southern States is behind that of any European State with which America would like to be compared, and the existence of Slavery is the obstacle to amendment. Here, then, is a call upon the friends of education in America to combine against Slavery as the most powerful hindrance to the cause they have most at heart. You may for the present leave us alone; we are sensible of our deficiencies, and are in the midst of a great struggle to remove them. But do try to awaken your southern brethren, who are hugging their Slavery, and for its sake excluding education. You will thus not only advance the cause of humanity, but will lay more surely the foundations of that republican liberty which is your pride and boast.

The reader will recollect, that among the points adverted to in our article was the condition of the *free coloured* population in the United States, amounting in 1850, to about 420,000. Of this class Virginia contained 53,000, and we mentioned that they had become a source of great uneasiness to the slaveholders, in this and other slave States. As a further proof of this, we cannot withhold from our readers the following paragraph, inserted without comment, and as a bit of ordinary news, in the *New York Herald* of the 26th of January:

"A bill has been reported in the Virginia House of Delegates, which provides for the appointment of overseers, who are to be required to hire out, at public auction, all free persons of colour to the highest bidder, and to pay into the State treasury the sums accruing from such hire. The sums are to be devoted in future to sending free persons of colour beyond the limits of the State. At the expiration of five years, all free persons of colour remaining in the State are to be sold into Slavery to the highest bidder, at public auction; the proceeds of such sales to be paid in the public treasury, provided that said free persons of colour shall be allowed the privilege of becoming the slaves of any free white person whom they may select, on the payment by such person of a fair price."

Is it true that the tide of civilization is really turning in America as well as in Europe? Is Christian republicanism really to end in things like this?—or has the king of Dahomey got possession of the "Old Dominion," and is the establishment of Fetishism to follow next?—*Blackwood's Magazine, for March.*

COLOURED SEAMEN.

WE would not mind having a dark complexion if we were sure of never going to the Southern States of America. In that country, a tinge of brown on a man's cheek renders him more or less an object of suspicion, and we strongly advise all brunettes who may contemplate a trip to the Southern States, to provide themselves before leaving their country, with credentials establishing the fact of their Caucasian origin. In all seriousness we are not certain that such a precaution is unnecessary. If brown-complexioned men may be legally seized by the American authorities of the South, conveyed to jail, scourged, and finally sold into Slavery, we know of nothing to prevent them from laying violent hands on women, whose olive complexion may excite doubt as to their descent. The ready and the legal excuse would be, that all coloured persons entering the States of North and South Carolina, may be lawfully incarcerated. Women are not exempted from the operation of this law. It is, then, clearly resolved into a question of shade. Now some of the enslaved population of America are even fairer than the Spaniards or the English, and are in no wise distinguishable from them. The same may be truthfully asserted of a large proportion of the free population of the North, of African descent. The Southern legislatures have not left in doubt what fate awaits these persons, should they trespass upon the territories which the slaveholders have taken under their especial patronage. The laws of North and South Carolina, in providing "that no persons shall enter these who are labouring under any contagious or infectious diseases; who are foreign paupers; or convicts; or persons of vicious character" (and we do not quarrel with them for attempting in such manner to preserve their health and their virtue): comprise in this, not by any means distinguished category, "free persons of colour," because they are "a dangerous class of persons." We are informed that the law which prohibits them from entering into these States, was introduced by the local legislature about thirty years ago, subsequent to the detection and suppression of an insurrectionary movement, devised and set on foot by a free negro who had been for some time in the habit of going and coming at his pleasure, and whose frequent excursions were proved to have been connected with this attempt at revolt. "Therefore," says the authority from whom we quote, "it is certainly very far from being unreasonable or surprising that free persons of colour, coming from abroad into North and South Carolina, should be deemed a dangerous class of persons, and dealt with accordingly." This is slaveholders' logic, which carried out in its integrity would prove that one swallow *does* certainly make a summer. If it could be shown that at any time an Englishman had rendered himself obnoxious to the charge of infringing the laws of these States, the Legislature might, by a parity of reason, urge this circumstance as a reasonable pretext for passing a law prohibiting all Englishmen from entering the country, on "pain of being incarcerated for the first offence; whipped for the second; and sold at auction as slaves for the third." And this, in point of fact, is the law of North and South Carolina as it stands at present; and under it, British subjects, men and women may be imprisoned, whipped and sold, if they be so unfortunate as to possess a complexion of African hue. The thing has actually been done.

Sometime in March, 1852 (we believe it was on the 24th), a Glasgow vessel, on her return voyage to Jamaica, was driven into the port of Charleston by stress of weather. The captain and the crew had scarcely landed, before she went to the bottom. One of the crew, Manuel Pereira by name, was immediately seized and conveyed to jail. He was of African descent, and therefore belonged to a "dangerous class." He was guilty of no greater offence than that of being a man of colour, and even the misfortune of shipwreck did not save him from the black law of the States. According to it, he would have had to remain in prison until the vessel that brought him should sail again, when the captain would have to pay the cost of the poor fellow's keep, the jail-fees, and two dollars as a fee to the justice of the peace for entering Pereira's name in a book, with a specification of his age, occupation, height, and distinguishing marks. In case of a refusal on the part of the captain, Pereira might have been sold to pay these fees: sold into Slavery. In the present instance, the vessel had sunk, and the captain and the crew procured a passage in another vessel. Pereira therefore remained in jail; although Governor Means asserts, in his late message, that "the man was at perfect liberty to depart at any moment he could get a vessel to transport him beyond the limits of the State." How the unfortunate prisoner was to "get a vessel," under these circumstances, Governor Means does not inform the public. The British Consul, George Mathew, Esq., thought this a favourable opportunity for trying the question how far the forcible detention of a British subject is in accordance with the treaties existing between the Federal Government and that of Her Britannic Majesty. He had sometime before mooted the same subject, and suggested a modification of the existing laws, to the extent of simply restricting coloured persons to their vessels (except when engaged in loading or unloading on the wharfs), under a police passport or ticket. Governor means says that this suggestion was under consideration when Mr. Consul Mathew, on behalf of Pereira, sued for a *Habeas Corpus* in the Courts of the State, but his application was rejected. He then appealed to the higher Court, pending which the authorities, getting somewhat alarmed, made an attempt to ship Pereira off, with the obvious intention of thus preventing any further legal steps being taken. But Mr. Consul Mathew, finding that his great object would thus be defeated, intercepted the sheriff, on his way to the vessel, with Pereira still in custody, and had the latter re-conveyed to prison, until, having completed the requisite arrangements for carrying on the suit in appeal, and given due notice thereof to the Sheriff, he paid Pereira's passage to New York, and he recovered his liberty.

Here is another case. On the 19th of May, the steamer Clyde arrived at Charleston, from the Bahamas. On board of her was a coloured seaman named Reuben Roberts, who was, in like manner, forthwith seized by the Sheriff and conveyed to jail, where he remained until the 26th, when the Clyde being ready to sail, Roberts was once more put on board, and departed the same day.

If Pereira or Roberts return, they will not only be imprisoned, but flogged: should they return a second time, they may be sold, for the law says, speaking of such persons thus offending a third time, "he or *she* shall be sold at public sale as a slave, and the proceeds of such sale shall be appropriated and applied, one half thereof to the use of the State, and the other half to the use of the informer."

We are informed, upon the very best authority, that in 1851, thirty-seven British subjects were seized and incarcerated, and forty-two in the course of last year; and that there is no doubt of many free coloured British subjects having been sold into Slavery under the operation of this law, all traces of whom have been lost. The cases of Pereira and Roberts are, however, now being prosecuted, with a view of bringing the subject before the Supreme Court of the United States. The Legislature of South Carolina asserts its intention of resisting to the last any attempt to abate one jot or tittle of the law, alleging as its reason for making so resolute a stand, that an attempt has been made to defy the law, and bring the States of North and South Carolina into conflict with the Federal Government. On the other hand her Majesty's Government will allow the case to go on until the decision of the Supreme Court is known, when it will no doubt, in the advent of an adverse verdict, take that course which is at once consistent with what is due to its own dignity, to the spirit of our treaties, and to the freedom of British subjects.

We may mention that besides the barbarous penalties which an infraction of the above-mentioned law involves, it operates most injuriously in other respects. The commerce of the West Indies with the Southern ports of the United States is (in winter especially), of great importance to those islands, where the state of the population and the nature of the climate precludes the employment of any considerable number of white seamen. The vessels are chiefly of small tonnage, and suited only for coast-wise navigation. They are mainly sailed on what is called the share-system: that is, the captain and the crew agree to receive remuneration according to a certain scale determined upon amongst themselves, the superior officers of course receiving more or less according to their rank, and the total amount to be divided, *pro rata*, depending upon the proceeds of the voyage. It is obvious that the operation of the law under review must prove detrimental to the commercial success of these coasting enterprises. In the first place it takes from the master of the vessel a portion of his paid and articled labourers, and forces him to employ slave-labour, to load and unload his cargo, at the rate of a dollar per man per day, whilst he has to maintain his own hands in jail, at considerable cost, and pay the registration fees besides. In the next place it always causes a longer detention of his vessel in port, so that he frequently finds himself fore-stalled in the market, and compelled to dispose of his cargo at a disadvantage. In the third place it checks the enterprise of the free-coloured seamen, who are naturally deterred from entering upon a vocation which to pursue with profit, they should be able to pursue constantly, but in attempting to do which they must risk their liberty, since they may be sold as slaves for paying a third visit to the same port or State, though they be engaged in a perfectly legitimate calling. These arbitrary laws are in reality intended as a precaution to prevent the free-coloured seamen from having access to the slaves. This is openly avowed, for the authorities are quite aware that with a population of nearly 9,000,000 free persons of colour, and with the constant transit of travellers from other States and countries, it is next to impossible to prevent the slaves of North and South Carolina from acquiring the knowledge of the existence of negro freedom, or of the geographical limits of Slavery. It is, therefore, they think, to their interest to perpetuate ignorance, by shutting up the coloured men who come in from foreign parts, and who, from their being generally intelligent, enterprising, and above all, free, might engender a contagion for liberty amongst their enslaved brethren. Such is the nature of this abominable system: it is actually afraid of its own victims.

We conclude this notice with a statement which will be found in Mr. Consul Mathew's letter to Governor Means, under date of the 5th January, 1852. He says:

"*On Saturday, and again on this very day, the spectacle has been exhibited in the streets of Charleston, of unoffending British seamen taken forcibly from the protection of the flag of their country, and marched along to a jail.*"—(*London*) *Anti-Slavery Reporter.*

FUNERAL OF A FUGITIVE CHILD.

WE were present last Sabbath afternoon on one of the most affecting occasions that have ever occurred in our village. Many of our readers were not, and perhaps a brief sketch of the exercises, as taken principally at the time by a friend of ours, may not be uninteresting to many, although it cannot convey the impression made upon the minds of eye-witnesses.

The audience, as usual, was large, numbering at a low estimate two thousand souls. After an able and truly eloquent sermon from Prof. Thome, of Ohio city, founded on the words "Jesus wept," it was announced to the congregation that the funeral exercise of a little stranger boy would take place after service was through, and those of the congregation who chose to remain in the house, could do so. Almost the entire audience remained. The corpse was then brought in, and the mourners took their seats in front of the pulpit. They consisted of the gentleman and his wife, at whose house the little one had died the day before, and also a young lady—"Dorcas"—who had watched over the little sufferer with a tenderness and self-forgetfulness that we fear is thought less of on earth than in heaven.

Prof. Peck, who took charge of the funeral, then remarked:

"My friends, we meet this afternoon under peculiar circumstances, to pay our respect to the lifeless form of what, according to the laws of the country, is, at most, a 'thing.' The brief history of this little child is simply this. He was the son of his master, his mother being a slave. Two years since, when the little one was three years old, his mother dying, left him to the care of a fellow servant. The husband of this care-taker was sold South, and she then determined to flee. A few weeks since she left her house in Kentucky, and took with her seven of her children, but forgot not the promise made to the dying one! She folded it to her bosom and gave it protection with her own. The weather was damp and cold, the travelling was bad, and close at hand and hard after was the master, the owner of the little boy, in hot pursuit, to drag back to the prison house his own offspring. The poor woman, with her precious charge, arrived here, and escaped the clutches of the slave-holders, but fatigue and cold had done its work upon the little boy, and he was left to die among strangers, and well have they performed their part. The little boy after a week's suffering, has gone to a court that knows no 'Fugitive Bill.' What a commentary on the institution of Slavery is this. A *father* hunting his son, to doom to the prison house of Slavery. Can anything be more abominable? Look at the corpse of this little one! I thank God that seven hundred young people are assembled in this place to be instructed, and may we not hope that *all* of you will be found on the side of justice and humanity—that not *one* of you will yield to the slave power, and thus degrade your natures? Cursed be the hand that shall be raised to help the miserable wretch who comes to tear away the poor and stricken ones from all that life holds dear and sacred, and consign them to the awful doom of American Slavery."

At this point in his address our pencil would not write—our heart was in the coffin, with *little* Cæsar, or it had gone (on fool's errand in *this land*) to seek an altar to Liberty to renew its vows to her. We will not attempt to give even the *substance* of the rest of his remarks. All present have them written deep in their *souls*, and will not soon forget them.

Father Keep then remarked, alluding to the touching sermon of the afternoon, "Jesus wept!" If Jesus as an ascending Saviour can weep, he will weep to-day tears of joy that this little sufferer has escaped from the cruelty of oppression. We are now under obligation to consecrate ourselves renewedly to the removal of this curse, to rebuke that man, who, by the ballot box gives his influence to strengthen the bands of Slavery. Let the bell about to toll in indication that another of Slavery's victims has escaped to its God, betoken to us the death-knell of the accursed system.

Prof. Thome following, said, in substance, "there is more than ordinary interest connected with this case. I feel, as I have observed my brethren feel, a sentiment struggling in my breast for utterance, that I cannot fully express. My friends, there is something in it touching. A motherless babe is left with us to die unwept—a victim of that atrocious system of chattel Slavery. And yet it is not in view of this single case alone that our sympathies are drawn out. It is for the great class of helpless little sufferers that this one comes to represent.

It conjures them up before us. They hover around us. They ask us to remember their wrongs—the wrongs of centuries inflicted upon their race, and to look along down the dark future, and weep for the woes of thousands yet unborn.

My young friends, no better occasion could be furnished you, than is furnished to-day in the sanctuary of religion, to gather around this coffin and swear eternal allegiance to the interests of humanity, and ceaseless hostility to the institution of Slavery.

His remarks to the friends who had taken care of the deceased were peculiarly affecting. We cannot attempt to give them. He concluded:

"Let that grave be a sacred spot. Plant there the flower, to be watered by the tears of the future visitor. Erect a monument to the memory of the little slave boy, bearing the inscription "Resugam!" and believe that as certainly as this little one shall rise again, so surely is written on the institution of Slavery, 'It shall fall!'"

We have not given a *faint* representation of the pungent and soul-stirring remarks of either of the gentlemen who spoke. The day, with its sabbath stillness—the place, a christian church, sacred to civil and religious freedom—the large congregation of young people preparing for active public life—the effect of a sermon representing so clearly the Son of God as identifying himself with human suffering—the sweet innocence of the poor, hunted little boy—all contributed to make *common* words eloquent, and eloquent words almost divine. We could but wish, from our inmost heart, that the father of that little boy were present. God grant that the remarks made on that occasion, may meet his eye,

"Breathing astonishment! of the death-bed call
To him who robbed the widow, and devoured
The orphan's portion; of unquiet souls
Risen from the grave to ease the heavy 'load'
Of deeds concealed; of shapes that walk
At dead of night, and clank their chains, and wave
The torch of hell around the murderer's bed."

After the exercises at the church, a large company went to the grave and gave the little fugitive an allowable home, the first that any *coloured* American can look for in this "land of the free." Then by its side were sung the following verses, composed by a heart that loves and feels for the crushed and bleeding race.

Shielded by an Almighty arm,
Thy griefs and sufferings now are o'er;
Beyond the reach of tyrant's harm,
Freed spirit, rest forever more!

Lone little wanderer, now no more
Mid stranger hearts to seek for love,
Thou'st gained thy home, thy native shore
And boundless love thy bliss will prove.

Thy father called thee, suffering one,
He knew and felt thy untold grief,
To him complexions all are one,
He died alike for their relief.

Thy Angel mother waits her child,
Without a pang she'll bless the now,
She fears no scenes of danger wild,
There's heavenly calmness on her brow.

—*Oberlin Times.*

THE BANNER OF THE COVENANT AND SUMNER'S SPEECH.

THIS magazine republishes the above speech, and thus comments:

"The noble sentiments it expresses with so much eloquence will meet with a response in the hearts of all true Reformed Presbyterians, who will rejoice to find the principles which their church has maintained for so many years asserted on the floor of the highest deliberative political body in the land. We have been glad to hear that this discussion has already done good in counteracting the superficial and sophistical views of those who denounce the Constitution as atheistical, and refuse to have any connexion with the administration of the government. Taking the same general views as those which were enunciated at the time our church was divided, this speech may serve to confirm the correctness of the ground which was then taken, and its circulation among our people will have a tendency to strengthen them in the position our church occupies on this subject, and to enable them to confute the arguments by which our proselyting *pro re nata* brethren assail the views which we maintain."

How much reason the *Banner* has to congratulate itself and its New-Light readers, respecting this speech, will appear by a quotation from it. Mr. S. denies that the Constitution furnishes any authority for the enactment, by *Congress*, of a Fugitive Slave Law. But does he deny that the Constitution contains a provision to the effect that fugitive slaves shall be delivered up by *somebody?* Nay, verily, but admits clearly enough the contrary. He says, speaking of the extradition clause:

"As a *compact* its execution depends absolutely upon the States, without any intervention of the Nation. Each State, in the exercise of its own judgment, will determine for itself the precise extent of the obligations assumed. As a *compact in derogation of Freedom*, it must be construed strictly in every respect—leaning always in favour of Freedom, and shunning any meaning, *not clearly necessary*, which takes away important personal rights; mindful that the parties to whom it is applicable are regarded as 'persons,' of course with all the rights of 'persons' under the constitution; especially mindful of the vigorous maxim of the common law, 'that he is cruel and impious who does not always favour Freedom:' and also completely adopting in letter and in spirit, as becomes a just people, the rules of the great Commentator, that 'the law is always ready to catch at anything in favour of Liberty.' With this key the true interpretation is natural and easy."

Now, first, Mr. S. here admits—even claims—that this is a "compact;" second, he admits that it is "against freedom;" and, third, that by this "compact," the States are bound—they must fulfil this engagement. But hear Mr. S. again:

"Briefly, the States are prohibited from any 'law or regulation' by which any 'person' escaped from 'service or labour' may be discharged therefrom, and on establishment of the claim to such 'service or labour' he is to be delivered up. But the mode by which the claim is to be tried and determined is not specified. All this is obviously within the control of each State. *It may be done by virtue of express* legislation, in which event any Legislature justly careful of Personal Liberty, would surround *the fugitive* with every shield of the law and Constitution. But here a fact, pregnant with Freedom, must be studiously observed. The name Slave—that litany of wrong and wo—does not appear in the clause. Here is no unambiguous phrase, incapable of a double sense; no 'positive' language, applicable only to slaves, and excluding all other classes; no word of that absolute certainty, in every particular, which forbids any interpretation except that of Slavery, and makes it impossible 'to catch at anything in favour of Liberty.' Nothing of this kind is here. But passing from this, 'cruelly and impiously' renouncing for the moment all leanings for Freedom; refusing 'to catch at anything in favour of Liberty;' abandoning the cherished idea of the Fathers, that 'it was wrong to admit in the Constitution the idea of property in man;' and, in the face of these commanding principles, assuming two things—first, that, in the evasive language of this clause, the Convention, whatever may have been the aim of individual members, really intended fugitive slaves, which is sometimes questioned

he says in the last sentence, about the "courts of the States determining," &c., touches no important question at issue, for he takes good care not to intimate that they could do anything else than decide that a slave escaped from South Carolina was "held to service or labour by the laws thereof." Hence, fifthly, how does all this help the New Lights? In fact it multiplies, while it complicates, the iniquity; for here is a "compact" to which every one that swears to the Constitution assents—a compact to surrender fugitive slaves. This same compact he swears to observe—adopting Sumner's view—when he swears to a State Constitution, whether as legislator, judge, governor, or voter. Is this any less wrong than it would be were the surrender to be made directly by Congressional law? Certainly not. The thing is done—the poor slave is sent back. He may have had a "jury trial," the "witnesses may have been cross-questioned," the "laws may be proven," but if he is a slave he must go back. Sixth, the States, as all know, said Mr. S., would not be bound to make such a surrender if there were no constitutional arrangement. We are rather surprised that our neighbours are so uplifted about a speech that brings the sin even more directly home to their own doors. Seventh, we lay little stress—none at all—upon Sumner's rigmarole about the Anti-Slavery principles of the framers. So much the worse for them. They had no cloak for their sin; and it is easy to see, from the way the Banner & Co. clutch at anything that appears to help their cause, that they feel naked, and are thankful even for a few fig-leaves to hide the shame of their recreancy from reformation principles.—*Covenanter.*

From The Liberator.

REPLY OF WENDELL PHILLIPS, ESQ. TO HON. HORACE MANN.

BOSTON, April 7th, 1853.

W. L. GARRISON, Esq. — *Dear Sir:* Mr. Mann dislikes the length of my letters. I am sorry they are so long, both for his sake and that of your readers. I might perhaps quote, in defence, the saying of the old English divine, 'Ignorance can ask more questions in an hour than Wisdom can answer in six months'; but that might be thought personal. The question, however, is so comprehensive, that I cannot promise to be very brief.

At last, Mr. Mann enters upon a frank and elaborate defence of his conduct in the matter of coloured schools. I am glad of it. It is a duty which he has long owed to the Anti-Slavery public, and to his own good name. If any reader thinks his defence a satisfactory one, Mr. Mann should thank me for this opportunity of making it; for I assure him, he has never had, among Abolitionists, the slightest credit for anything like what he now claims. In my opinion, the facts on which he rests his defence only deepen his guilt. I never saw or heard of the articles in the *Common School Journal* to which he refers. But I have the most entire confidence in his personal veracity, and if he wishes to be understood to say that nine years ago he opposed the separate education of coloured children, in articles published with the full responsibility of his name, I accept it as a fact. In view of it, I should not again use the precise phrase I did, that he never 'gave us one word of recognition, countenance or aid.' But I should still assert exactly the same in substance, namely, that he never gave us any substantial or public assistance.*

Bearing, however, this claim of his in mind, let us examine his other statements. The first is, what he did, twenty years ago, as a Trustee of the Institution for the Blind. The meetings and records of those Trustees are private. What could I know, what could the public know, of the opinions expressed at those meetings, or recorded on those books? All that the Abolitionists, all that the public knew, was that the *only coloured child* who, about that time, applied for admission to the Institution, *was refused.* As in other cases, we were obliged to judge the Trustees by their public actions, which we knew, not by their private opinions, which we could not know.

His second specification is a scene that took place in his parlour, or private rooms, at Bridgewater. I could not know, and surely was not bound to know, all the conversations Mr. Mann was holding in private. If, however, the private parlours of Normal School teachers *are to be opened*, I can refer him to a conference held in one, about that time, in which his views as to the admission of coloured children to those schools were not at all what he now represents them to have been. Mr. Mann does not suspect me of this 'base trick' attempted on him at Bridgewater, 'some eight or ten years ago,' 'not very far from the time of one of my attacks on him.' This is very generous in him, seeing that my attacks were made *five years and three months ago*, just *three* or *five* years *after* the alleged trick! 'You roiled the water I was drinking last spring,' said the wolf to the lamb. 'But I was not born then,' said the lamb. Does Mr. Mann remember the fable?

Of his third specification, the *Common School Journal*, I have already spoken. For his fourth, he adduces a private document, privately communicated to his friend, the City Solicitor of Boston, and now first brought to light! At that very time, Mr. Mann left me to bear alone the jeers of the profession, the contemptuous criticism of the City Solicitor, and the criticism of the daily press, for maintaing that very opinion which he was very quietly putting into the Solicitor's private desk, and thus avoiding all responsibility!

Does Mr. Mann remember Macaulay's searching criticism of the defence usually made for Charles I.? 'We charge him with having broken his coronation oath—and we are told that he kept his marriage vow! We accuse him of having given up his people to the merciless inflictions of the most hot-headed and hard-hearted of prelates—and the defence is, that he took his little son on his knee and kissed him! We censure him for having violated the articles of the Petition of Right—and we are informed that he was accustomed to hear prayers at six o'clock in the morning!' Mr. Mann's case seems to me similar. The title page of his volume of speeches is, 'Slavery: Letters and Speeches, by Horace Mann, THE FIRST SECRETARY OF THE MASSACHUSETTS BOARD OF EDUCATION.' It is a title of which he is justly proud. The practice of cheating the coloured child out of his legal rights in our schools had prevailed a long while in some of the large towns and cities of the State. A few earnest but unpopular men for ten years besieged the door of the Legislature, to obtain redress. I charge the Secretary *that he was never there.* They gave School Committees in the various towns no rest, urging them to abolish the unjust distinction. I charge the Secretary that *he was never there.* The Secretary published eleven able, eloquent and detailed official Reports on the school system of the Commonwealth, one each year. I charge that, in all of them, he either wholly omitted the subject, or entirely misrepresented it.

And he replies by telling me what he did *in private*, as *Trustee of the Institution for the Blind!* by lifting up the veil, which, very properly, covered his witty retorts at Bridgewater! and by now, at last, informing the public that he did once whisper a legal opinion into the private ear of a City Solicitor! How common it is for men, especially Americans, when charged with public default, to attempt a defence by alleging some private misgiving they indulged at the time, and which they think should qualify public censure! When the first fury of New England rebuke burst on Webster's head for his 7th of March Speech, you remember his defence—'He had a provision of jury trial for fugitive slaves in his desk, but forgot to offer it'! So Beecher, arraigned for gagging discussion twenty years ago at Lane Seminary, confesses now, for the first time, that, *in private*, he opposed the Trustees! Long ago, when Jeffries grew pale before the Revolution of 1689, he stammered out the excuse, that he tried, *in private*, to oppose James II., but the King would not let him stop butchering. And Haynau, sent to Coventry by the decency of the nineteenth century, shrieks out before he dies, 'I, too, strove, *in private*, to hold the Emperor back; but he would make me whip and hang'!

Fifthly, Mr. Mann tells us that the School Law of 1845 was passed 'after consultation with him, and with his hearty approval. As every one knew, its object was to make the Common Law certain by a statute law; and to ensure, beyond contingency, the equal rights of all the coloured children in the State. We all thought it had done so.' He was surprised that the Supreme Court afterwards disregarded it entirely. That law was passed in consequence of the appearance of a few Abolitionists before the Legislative Committee. The draft which we asked them to adopt they threw aside, and submitted one of their own. I told that Committee, at the time, that their draft was ambiguous and equivocal, and would not secure our object. One of them *admitted this*, half in jest, adding, 'Mr. Phillips, we in Boston know that such schools are illegal, but we mean to have them, nevertheless.' Had Mr. Mann stood where I stood that day, and where *he should have stood, by virtue of his office, and of the interest he now claims to have always taken in this question*, he would neither have given that bill his hearty approval, nor been afterwards surprised that the Supreme Court put it carelessly aside.

Sixthly, Mr. Mann says, 'In my Reports, I uniformly stated the law to be such as would confer upon coloured children equal school privileges, in all respects, with white ones, which I believed it did. Where the practice did not conform to the theory, I laboured to make it do so, and when I left the Secretaryship, we had nearly succeeded.'

This is evasion. I never criticised his Reports for misstatements of *law*, but of *fact*. No intelligent lawyer doubted what the law was; though we all knew it was hopeless to expect that a pro-slavery court would fairly rule it. The public looked to his Reports for a correct statement of facts, and he crippled the efforts and clogged the path of the Abolitionists by crying 'peace,' when there was no peace; by total misrepresentation.

In his tenth Report, 1847, he said:

'When the equal, natural and constitutional rights of Africa were thought to be invaded, she armed her courts of judicature with power to punish the aggressors. The public highway is not more open and free for every man in the community, than is the public school-house for every child; and *each parent feels that a free education is as secure a part of the birthright of his offspring as Heaven's bounties of light and air.*' * * * EVERY MAN WHO TREADS HER SACRED SOIL IS FREE; ALL ARE FREE ALIKE; AND WITHIN HER BORDERS, FOR ANY PURPOSE CONNECTED WITH HUMAN SLAVERY, IRON WILL NOT BE WELDED INTO A FETTER.'

After I had called his attention to the point, he next year, 1848, repeated the misrepresentation in still stronger language, thus:

'The first condition—that the schools shall be conducted on the cardinal principles of the New England system—is *already satisfied.* * * * Our law requires that a school shall be sustained in every town in the State, even the smallest and poorest not being excepted; and that this school shall be open and free to all the children as the light of day or the air of heaven. *No child is met on the threshold of the school-house door, to be asked for money, or whether his parents are native or foreign, whether or not they pay a tax, or what is their faith.*' The school-house is common property. * * * Public opinion, that sovereign in representative governments, is in harmony with the law. Not unfrequently there is some private opposition, and occasionally it avows itself and assumes an attitude of hostility; but the perseverance of the friends of progress always subdues it.' pp. 88-9.

I presume Mr. Mann himself would now erase the sentence printed above in small capitals, since he has lived to see Thomas Sims sit chained in a Boston Court House, itself surrounded with chains. I had seen George Latimer, and many a fugitive beside, before that, and pointed out this error to Mr. Mann at the time. He has never forgiven me for it.

'*Each parent feels that a free education is as secure a part of the birthright of his offspring as Heaven's bounties of light and air.*' * * * '*No child is met on the threshold of the school-house door, to be asked for money, or whether his parents are native or foreign, whether or not they pay a tax, or what is their faith.*' Mr. Mann knew, if he then took any interest in this question, that from the very city where he then sat writing these sentences, coloured families had been obliged to remove, in order to secure the 'birthright of their offspring'—an equal place in schools supported by their taxes. He knew that at *every 'school-house door'* stood men who, though they did not ask whether the applicant 'was native or foreign, or of what faith,' did uniformly ask whether he was black or white. I said at the time, that, in making this list of questions, *not asked*, it seemed 'impossible that it should not have occurred to him, that there was *a question* sure to be asked; and that even all the confidence which his long and arduous labours had won for him, could not do away the suspicion that *this question*, which he knew was asked at the school-house door, was purposely omitted from his catalogue.'

'*Public opinion, that sovereign in representative governments, is in harmony with the law.*' From the two hundred schools of Boston, the capital of the State, and whose schools are the special boast of the Commonwealth, he knew that every coloured child was rigorously excluded, in acknowledged defiance of what Mr. Mann believed to be the law. He knew, or ought to have known, that young coloured men, fitted for her two famous High Schools, had been forced to go elsewhere, and, at great expense, complete their studies, at the moment when their fathers' taxes were securing, gratuitously, to white boys, those eminent advantages. And yet, in a document meant for European as well as home circulation, and specially professing to give an exact and detailed account of our school-system and its practical condition, Mr. Mann ventured the above assertion—a gross misrepresentation, to call it nothing more. We were endeavouring, all the while, by directing public attention to this great injustice, to secure a remedy. That was the only weapon we had. Does Mr. Mann suppose that representations like these, from such a quarter, did not tend to opiate the public conscience, and enable the City to hide her shame from the rest of the Commonwealth and from the world, whose opinion she would dread? So utterly neglectful had the Secretary been—this watchman on the tower—that I found one Chairman of a 'Legislative School Committee,' who came from the western counties, actually ignorant that separate schools for coloured children existed in some of the seaboard towns!

Such are the Reports to which Mr. Mann refers, in answer to my charge of inattention to this official duty.

What Mr. Mann means in his seventh item, about a 'Statute of 1843,' I do not know. There was no Statute made on this subject, in 1843. It it be a misprint for 1845, I have already spoken of it. Any *codification* must have been made after the Supreme Court's Session, and so *after my criticisms.* Of course, therefore, that does not belong to this discussion.

And, eighthly, he says, he always visited the coloured schools. Of course he did. It was the formal routine of his office, and has no bearing either way.

Mr Mann's defence shows two things—that he knew of this abuse; and that his opinion of its illegality and cruelty coincided with ours. The remarks I have now made show that he did nothing, in public and in earnest, to remedy it. I do not think that this new state of facts improves his position before the Anti-Slavery public. The public will judge.

The test to which I would like to submit the matter is this: Could I call together, to-day, all the members of legislative and town and city Committees before whom we have so often urged this question, and ask them all whether, during that long struggle, any one of them ever imagined that Horace Mann stood *with us* in the contest, I am confident the idea would be news to almost every one, if not every one, of them. If from them we made an appeal to the public, whose patience we, instant in season and out of season, have so long wearied, not one in a thousand would say that he ever heard of Mr. Mann as a party in the effort.

Mr. Mann excuses himself for not having publicly helped us, by saying that, when he entered on his office, a religious sect importuned him to make the schools subservient to their religious views, and that he refused us both. If he thinks that the question of admitting theology into schools is anywise akin to the claim that coloured children, whose fathers pay taxes, shall have the same right in schools supported by those taxes that their white neighbours have—he only shows that he does not, even yet, comprehend the subject, or the Anti-Slavery enterprise itself.

And, after all, this excuse is not broad enough. If Mr. Mann's convictions date back, as he claims, 'twenty years,' I beg him remember that, long since that date, he had been a member of our State Legislature, been indeed President of our Senate; he, the friend of education. Where is the record of any attempt on his part, while in the Legislature, to secure legislative prohibition of these schools? If his peculiar delicacy, as Secretary, forbade his taking a public part—such public part was his bounden duty while a leading member of the Legislature itself.

Mr. Mann regrets that my 'denunciatory, unsparing and undiscriminating course has made the performance of his duty towards the oppressed African far more difficult,' &c.

It seems to me, Mr. Garrison, that you and I have heard that remark before. R. R. Gurley made it in regard to Colonisation. Henry Clay made it in defence of the slaveholders. Orville Dewey made it when offering to return his mother into Slavery, if necessary. Moses Stuart made it, apropos to Paul sending back Onesimus. One of the miserable wretches who came here to identify Sims, objected to our denunciatory course. I claim all these epithets as our surest title-deeds to the gratitude of posterity. I was 'denunciatory' when the rich and educated combined to rob the poor of their best birthright, education. I was 'unsparing' when reformers, men who claimed to be the peculiar friends of liberty and justice, stood silent lookers on. I was 'undiscriminating' when priest and politician, educationists and sectarian, President of Senates and purse-proud millionaires, alike joined in wronging the weak because they had no friends, and because to 'pass by on the other side' would increase one's influence.

Mr. Mann thinks my recent speech claims too much, ludicrously too much for the Abolitionists. It was made in the presence of those who have known us all for the last twenty years. They know the facts; and if my claim is ludicrously exaggerated, it will only make me a laughing-stock, and so no harm be done. I spoke and printed my remarks in Boston, which heard in this connection of Garrison and Chapman, Jackson and Quincy, Loring and Sewall, Foster and Pillsbury, Weld, Smith, Goodell and Jay, long before it heard of Sumner, Chase, Palfrey and Hale. To the judgment of such a community, I cheerfully submit my claims.

But let no word of mine do injustice to the well-earned fame and self sacrifice of Mr. Palfrey and his friends.

Mr. Mann's next five paragraphs (relating 'to human law keeping my abhorrence of Slavery in check,' to the right to agitate the question of Slavery in Congress,' to his imperfect list of Anti-Slavery exertions, and to his support of the Constitution, 'with his interpretation of it') seem to me mere trifling, unworthy of him, and unworthy of my notice. I should speak more strongly, if I spoke at all, of his attempt, further on, to evade my remark on his *Jesuitical* construction of an oath.

I will now proceed to notice the manner in which my remarks about the oath are dealt with. Mr. Mann does *not attempt to answer* any one of my questions or arguments. To be sure, in closing, he offers to discuss with me our duties under the Constitution. I have not yet got from him a definite answer to my first inquiry, '*Whether he now thinks the Constitution of the United States secure to the slaveholder the right of recapturing his slave, when he escapes into the free States.*' Let him answer that frankly, and I shall gladly debate with him. But it seems to me idle to go on with an opponent who refuses me any full knowledge of his *present views*, and bases his defence now on one ground, and now on another, totally irreconcilable with the first.

Mr. Mann's whole attempt, in this part of his letter, is to show, that if he is wrong, I am as great a sinner as he. Suppose I grant all he claims; my being a sinner does not prove him a saint—my being wrong does not begin to prove him right. That cause is weak, and touches its downfall, when its champion has nothing to say to his foes but 'You are as bad as I am.'

Mr. Mann excuses his vote for John P. Hale on the ground that he had no chance of being elected. Would Mr. Mann have voted for a friend to become captain of a gang of horse-thieves, provided there was no chance of his being elected? Of course not. Yet he will not presume to say that horse-stealing does not whiten into virtue when compared with the crime of returning runaway slaves.

But have Free Soilers organized a party, and do they spend all their labour, to elect a man to an office, which, after all, he could not *conscientiously accept?* Hear this, ye Free Soilers, who are always taunting Garrisonians with *throwing away their votes!* What will the party do, when it becomes a majority? Cease to nominate Presidents, I suppose, *for fear of being able to elect them!* Or, does Mr. Mann consider the *danger* of their ever being a majority so distant, at so 'very vanishing a point,' as not to be worth considering? But Mr. Sumner *was elected* Senator, and serves as such; and the Senate co-operates with the President in appointing Judges, District Attorneys and Marshals, to execute the Fugitive Slave clause. If Hale could not be President, how can Sumner be Senator?

His next defence is, that if Hale had been elected, there would have been no chance of his being required to do any constitutional act for the return of fugitive slaves; since no President has been called on, for the last sixty-four years, and there is a better chance still in time to come. This statement is incorrect. Has Mr. Mann forgotten President Fillmore's Proclamation on the occasion of Shadrach's rescue, no longer than Feb. 18th, 1851? an act certainly within his constitutional duties. But, waiving this, and granting that the fact were as he states, it matters not to the argument. I will not stop to say that Mr. Mann would never agree to commit murder, merely because he thought there were ninety-nine chances out of a hundred that he would never be actually called on to do the deed: which shows his argument to be unsound. But I assert further, that granting it in full, it does not touch the case at all.

The Bank of England has not been, I believe, occupied by troops for nearly fifty years. But what, in any time of tumult, keeps the Bank untouched? The knowledge that the Horse Guards will at any moment garrison the building. But does it not being called on to do so, rob the Government of all the merit of protecting property in London? The United States troops have not been called on to put down an insurrection of slaves in Virginia since 1831. But what keeps the slaves there quiet? The knowledge that the soldiers at Norfolk are ready to march at a moment's warning. But does this acquit the United States of all responsibility for protecting Slavery since 1831? The Fugitive Slave Law has been executed in many places unable to follow the holy example of Christiana and Syracuse. Why? Because the few hundreds who felt for the slave knew that, if necessary, whole regiments would be brought out to enforce the courts' decisions, indeed the whole force of the Union. Very properly, therefore, they desisted from so mad a course, and the President was not actually called on, because it was known that, if resisted, he would act, and was able to act efficiently. But does this excuse the President in the least?

A child was punished yesterday, and obeyed. Remembering this, he obeys to-day, without waiting to be punished. But, according to Mr. Mann, the well-known will of the parent had no hand or merit in securing the second day's obedience. That is according to Mr. Mann on the 4th April, 1853. He thought differently once. He will not deny that the judicial power has returned slaves within the last sixty-four years. Yet on May 17, 1851, he could say—

'"Judicial power" does not consist in a sheriff's presiding over a jury, nor in an auditor's casting up accounts, nor in a commissioner's ciphering out the dividends of an insolvent's estate, nor in county commissioners' laying out roads; but it consists in entering up a judgment which has the armories at Springfield and Harper's Ferry, which has the standing army and militia of the United States, which has fifty line-of-battle ships, which has the treasury of the nation to back it, and to visit with death one man, a thousand men, or a hundred thousand men, if need be, who shall confront it with resistance.'

If this be a correct description of the 'judicial power' which has been constantly returning slaves, what part in the work has the President, the commander-in-chief of the army and navy of the United States? Did George T. Curtis send back Thomas Sims? I trow not. It was the army and navy of the United States, with Milliard Fillmore at their head, that really kept State street silent, while that infamous procession stained its pavements.

The President who appoints a deputy to do an act, and stands by while the act is done, is as much responsible for it as if he had done it with his own hands. The fact, therefore, that the President has never been actually called on, except in Fillmore's proclamation against Shadrach, to execute the Fugitive Slave Law, is of no force in this argument. Mr. Mann stands, therefore, by his own confession, in this position: Acknowledging that the Constitution orders the return of fugitive slaves, he voted last fall for J. P. Hale as President. To elect Hale, Mr. Mann *did all he could.* He gave his vote. He has but one vote to give. God will not hold him responsible for ten thousand votes, but for one. No man who voted for President Pierce did more for him than Mr. Mann did for Hale. He gave his vote, and *all the influence which his example had.*

Now, what is the meaning of that vote? Interpreted into words, it is this: *I, Horace Mann, hereby request and authorize you, John P. Hale, to assume the office of President of the United States, and to take the oath of that office, which is 'faithfully to execute the office of President of the United States, and to the best of your ability preserve, protect and defend the Constitution of the United States.' I request and authorize you to appoint judges, marshals, and other fitting officers, to execute the various provisions of that Instrument, and among others, that for the return of fugitive slaves: and in case such return be resisted, to array the army and navy of the Union for its enforcement.* To place Mr. Hale in that position, Mr. Mann did all he could. If by the loss of Hale's election, some great national blessing had been lost, and posterity had accused this generation for allowing it, Mr. Mann would have laid his hand on his heart and said, 'I am not guilty; I did all I could to elect him.' If, in such circumstances, he could rightfully have made such a claim, he must not now, when the tables are turned, avoid the full responsibility of his act.

I have no wish to introduce any new points into this discussion. But I go further: I claim that every voter in the last election is morally responsible for the election of President Pierce, and for all the *ordinary constitutional acts* he may do. Every voter, under this Constitution, is understood to assent to this fundamental principle, that 'the majority shall govern.' When, under such a Constitution as ours, he enters a Presidential canvass, he, in effect, says, 'My candidate shall be President, and execute the *ordinary functions*, if he gets the most votes; and I agree that your candidate shall be President, and *exercise all the ordinary functions* of the office, if he obtains more votes than my friend.' I will not stop now to unfold this idea, but every frank and honourable mind will readily see that this is an essential condition of constitutional government.

I have heard of a firm, made up of a Christian and a Jew, that did business together five days in the week. Then the Christian kept shop Saturday, while the Jew worshipped, and the Jew kept shop Sunday, while his Christian partner attended church. Thus they made more money than their neighbours. Mr. Mann's arguments are of this nature. He rides two horses at the same time. Now he uses one theory, and now another. When one thinks he has put his hand on him he is not there. For instance: He is understood to hold, with Mr. Sumner and the Free Soil party generally, that the duty of surrendering fugitives belongs to the States, and that the clause needs no additional legislation. He affirms, also, that he swears to support the Constitution as he understands it. As Governor of Massachusetts, therefore, he would be bound to see that fugitives were returned. Any slaveholder might, as Free Soilers think, use the old English writs, and if able to convince a Boston jury (no hard task), the Governor must sustain the decision of the court. The action of Congress on this subject, Mr. Mann considers unconstitutional; and he has a hundred times avowed that he would never obey it. Of course then, he would not be deterred from doing, as Governor, his constitutional duty, merely because somebody else, Congress, for instance, had illegally interfered in the matter. I asked him then how, with this theory, he could agree to take such an office. He replies—'I think no Governor of this State will ever issue his warrant for the return of a fugitive slave, who has not had a trial by jury; and probably Slavery itself will be "blasted" by the Lord, before such jury trial will be granted by Congress. The danger, therefore, is at the very vanishing point.'

'Before a *jury trial be granted by Congress!*' But Congress has nothing, Mr. Mann thinks, to do with the business. Why does the Governor wait for Congress? Let him do his clear and acknowledged duty. But, no; *to clear himself as Governor*, he will take the Constitution as the nation interprets it, and wait till Congress uses, in a different way, *its usurped power!* To *clear himself*, as *Representative in Congress*, he will take the Constitution *as he understands it*, and is sure Congress has nothing to do with the matter, and that the slave act is unconstitutional! Free Soilers, then, may be Presidents of the United States, or members of Congress, because, *with their interpretation*, the National Government has nothing to do with slaves; that belongs to the States! And a Free Soiler may be Governor of a State, because the Supreme Court says the surrender of slaves belongs to the Nation! Very convenient morality this! Do the party keep men with one theory to act in the States, and men with another theory to act in the Nation? Right enough, perhaps, when the individual is not implicated, as in Mr. Mann's case, in both capacities. Connecticut families managed in a similar way. They used, it is said, to let church members make wooden nutmegs, which was held innocent; but kept one son *unconverted*, to sell them, which was thought unquestionable. We are less strict now-a-days. Conversion and church-membership would not interfere, at present with such business.

Charles Lamb paints in Lucian's manner, a hungry god, hovering, with expectant nostrils, in wait for his incense, while two priests dispute which shall offer it, and at last the deity has to fly away without his dinner. Imagine a slaveholder waiting thus for Mr. Mann to let him have, in one character or the other, his *acknowledged legal rights.* But Governor Mann and Mr. Representative Mann both beg to be excused, benignly assuring him all the while (p. 477), that Free Soilers are most especially '*Union-loving and law-abiding men!*' and that he 'acknowledged his obligations to the Constitution while it is suffered to last!'

Should a Governor ever be brought to the necessity of issuing his warrant, Mr. Mann thinks he is still safe. *He could buy the slave!* What a grand moral picture! Massachusetts Governors buying off the slaves they have agreed to restore! This is too ludicrously untenable to be considered in serious argument. Suppose Bassanio cannot persuade Shylock to give up his pound of flesh; suppose the master refuse to sell, as in several recent cases (Sims and others) he has done, where then is Governor Mann? I hope every Governor who takes office on this plan, will see that he has 'much goods laid up,' for there are thousands of fugitives in the State, and with such a proclamation I am afraid his 'much goods' will not be 'laid up for *many* years.'

It is here that Mr. Mann says, I once 'tore up my commission, and retired to dignified leisure,' and he thinks office-holders may wait till actually required to do some wicked act, and then imitate my example. Let me inform him that I never held any office, except a military one long before I was an Abolitionist. My sense of duty would not allow me to take an office, any *possible* duty of which I considered sinful. If, after taking an office, I should discover that any of its *possible* duties were of that nature, I should not continue to hold it till such a crisis occurred—giving, *all the while, the influence of my example to lead other men into like positions, and to uphold the Government*, but I suould resign at once. I acted on this principle in quitting my profession.

Mr. Mann acknowledges that he voted the money which paid Millard Fillmore, Levi Woodbury, Charles Devens, Peleg Sprague and B. R. Curtis for their respective shares in the Boston slave cases. I ask any abolitionist what is his first impression on reading such a confession? Was that a vote for an Anti-Slavery man to give? Mr. Mann thinks it was. The only way he proves the vote innocent is this. He says I am equally guilty, because I pay taxes. If the fact be so, I submit that my guilt does not prove his innocence; and if this be the only argument Free Soilers have to offer, their cause seems to be very weak. And yet I have faithfully examined the entire column devoted to this point, and assert that this is the only defence Mr. Mann offers, except the following:

'Nor do I consider myself any more accountable for their unconstitutional proceedings in the Sims case, than I should had they sentenced Mr. Phillips to be drawn and quartered. If responsibility is to be extended and diffused in such a way, no man can live in society for a day without incurring damning guilt. I do my duty in my office, op my responsibility; others must do theirs, on their responsibility.'

This does not rise even to the dignity of a quibble. If the Marshal of Boston, instead of putting Hon. Samuel E. Sewall into the lock-up, had hung him at the navy yard, and sent the bill to Congress, would Mr. Mann have voted to pay it? Surely not. He does then examine the way in which dependant officers exercise their duty, as his oath of office binds him to do; otherwise, we might as well send, as Webster once said, 'broomsticks to Congress.'

But is the paying of taxes to the Government at all like voting to pay Charles Devens his thirty pieces of silver? Voting is a voluntary act. Taking office is a voluntary act. Voting the supplies is a voluntary act. Mr. Mann votes, takes office, and say 'yea' in Congress, of *his own free will.* Is my paying taxes a voluntary act? Suppose I refuse. Government takes my house, sells it, and takes the money. Exceedingly voluntary this! When did the woman, who pays her five hundred dollars to the city of Boston, assent to the imposition? I might continue the list to any extent. Voting is the act of a sovereign moulding the Government. Taxes are a burden imposed on subjects. The Government wrung from me, without my consent—robbed me of some hundreds of dollars. But they could do nothing with it, till Mr. Horace Mann stepped forward and VOLUNTEERED to vote it to Charles Devens as payment for doing worse than murdering his brother. The Nation met Mr. Mann and said, 'Will you be a member of Congress?' He replied, 'Yes,' knowing the duties of the office. The Government then came to him, and presented their infamous bill in the Sims case, and said, 'Will you authorize us to pay this?' He replied, 'Yes' To get the means to pay that bill, that same Government comes, and takes my money, without asking my consent. And Mr. Mann thinks our relation to the Sims case are identical! I will agree with him, when he shows me that the Chief Priests were just as innocent in paying Judas thirty pieces of silver, as was the traveller from Jerusalem to Jericho when he gave up his raiment, to the thieves among whom he fell.

It is in this part of his letter that Mr. Mann calls me 'cowardly' for refusing to go to Congress! On this theory, what a nation of heroes we must be! since of all the millions there are only found a few Garrisonians afraid to go to Congress! Let me congratulate Mr. Mann on his release from the post of danger.

Next come sueing in the Courts, and using the Post-office. In these cases, Government does me a service at a certain price, as a merchant sells me his goods, as a lawyer his skill. Anybody—a foreigner who never set foot on our soil—may have those services, if he will pay for them. No one is asked to *assent* to the Government, or *indorse* its good character, before he can sue, or mail a letter. When Harriet Martineau mails a letter to a friend in Indiana, does she become morally responsible for the arrest of Shadrach, as Charles Devens did when he paid Deputy Marshal Riley for pretending to eat a breakfast, that he might seize the slave? Andas part of the postage goes to England, does she endorse monarchy beside? If Mazzini sent Kossut ha letter, through the Austrian mail, he incurred the same responsibility for Haynau's crimes, as the Emperor that paid for them! If I buy a book in John Murray's store, I endorse his Episcopalianism! I confess, I cannot accept this as sound logic. Were I prisoner on a pirate deck, where they had some one set apart to decide disputes, and one of the pirates stole my dinner, I should ask *his judge* to make him restore it, and not feel that in so doing, I at all became partner in the piracy. My position in this country is similar; while I do nothing that a foreigner may not do, I act not as a partner in the Government, but as a *subject.* I do not consent to Government; I only *submit* to it, as to any *inevitable* evil. To *such submission*, no guilt attaches.

Let me explain. In man's present condition, Government is a necessary evil. But who is to choose what its form and nature shall be? 'The only rule at once practicable and just, is to let the majority choose. Suppose the minority think that the arrangements made are injudicious. Still, they should join, and try to make those arrangements better. But if any individual thinks the arrangements *sinful and wicked* (as, for instance, if Government command its officers to lie, to practise idolatry, or to return slaves), what shall he do? Of course, he cannot assent, or become partner in them. That is self-evident, no matter what sacrifice it costs him. Pagan Pompey could teach us, that 'It is necessary to be honest: it is not necessary to live.' What then will be the relations of such individuals (like the English Nonjurors), to the Government? In settling these relations, two things are to be considered 1st. In any specified territory, there can be, from the nature of the case, but one *Government* 2nd. Every man has a right to life, liberty and property, on the spot where he was born. This right God gave him; no majority can take it away. It is a right antecedent and paramount to all Governments; and pronounced 'self-evident and inalienable' by our Declaration of Independence. From these two principles it results, that any individual, unable to become a partner in the State, has still a right, while he keeps the peace, to follow his usual pursuits, and enjoy the ordinary protection of the State; to acquire and hold property, and be protected in it; to use the highways, courts and mails of the State; in a word, to enjoy that class of rights generally granted, even by despots, to the *disfranchised classes.*

I know this principle has been sometimes invaded. Christians have held, in Asia, their civil rights, only on the condition of sharing in idolatrous practices. Rome treated the early Christians in the same way, and England, in past times, was thus unjust to Catholics. Such subject had no choice but to die matyrs. But mankind have, long ago, decided that such a course, though within the *power*, is not within the *rightful authority* of any State; and it is wholly alien to the theory of the English and of our Institutions, indeed of all modern free governments. I repeat, that the majority have no right to infer that the majority, in using such rights, become implicated in Government sins; since that would be to suppose that a majority is authorised to set up a wicked Government, and then make honest men, to whom God gave a right to live on the soil, join in it or starve: which is absurd. It was on this principle that our Saviour paid *taxes*, and Paul appealed from the *court* of Festus to Cæsar; though guards to kill Nero's mother (spite of Dr. Dewey), or sat in the Senate to pay for it afterwards.

But if Mr. Mann can prove me wrong in sueing, &c., that does not show him to be right in voting. It only proves us both sinners; and I for one, shall try to cease sinning, and mend my ways.

Mr. Mann sneers at my idea, that oaths to the Constitution are oaths to that instrument in the sense affixed to it by the Supreme Court. He used to think differently; very recently, too. February 28, 1851, *he said in the House of Representatives, speaking to Representatives* (p. 402):

'Even should the Supreme Court of the United States declare the law to be Constitutional, then, though we must acknowledge their decision, as to the point decided, to be the law of the land, until it is set aside, yet, without any disrespect to that tribunal, we may still adhere to our former opinion.'

The same doctrine forms the basis of the greater part of his arguments against the Fugitive Slave Law.* This was the constitutional doctrine *under which he took his oath of office.* He did not ask *then*, as in his second letter to you, what he should do when 'the nation was on one side and the Supreme Court on the other'—or what he should do, if the nation changed its opinion—or hint at any understanding with Howell Cobb as to how far the law should be obeyed. No. *When he took the oath which he is now trying to construe away*, his doctrine was, that A DECISION OF THE SUPREME COURT IS TO BE ACKNOWLEDGED AS THE LAW OF THE LAND, UNTIL IT IS SET ASIDE. Conversions are suspicious when men change their opinions in order to excuse their acts.

He quotes Gen. Andrew Jackson on this point. I have great respect for General Jackson's opinion on a fortification of cotton bags; but no respect at all for his opinion on a point of law. It happens, however, that on this occasion, I entirely agree with the Jackson doctrine, as quoted by Messrs. Mann and Sumner. General Jackson says that the President and Congress, in making laws, have a right to decide, for themselves, whether the proposed law is constitutional. Of course they have.† But Jackson does not say—at least, in this quotation, nor anywhere that I know—that if Congress pass a law which they think constitutional, and the Supreme Court sanction it, he, on his private understanding of the Constitution, shall, as President, refuse to execute the law; which is Mr. Mann's position. Suppose that Congress has passed a law, and that the Supreme Court have pronounced it constitutional. In this state of things, Mr. Mann enters Congress. I do not deny that, as a legislator, he may try to get the law repealed. I do not deny that, as a lawyer, he may get up a case, and try to make the Court reverse its decision. But I ask whether, *while it remains on the statute book, and while the Supreme Court recognise it as constitutional*, he, as an officer of Government, means to aid in giving effect to its provisions, by providing process and appointing officers &c. After which he is not at liberty, as an honourable man and good citizen, to resist such process and such officers; but, contrariwise, is bound to assist the one in executing the other, if lawfully called on to do so. From the nature of Government, and the harmonious co-operation necessary to its success, no honourable man holding office under it has a right to abuse, discountenance and resist other officers, when engaged in their lawful duties. He is bound to give a whole-hearted support to laws and offices belonging to the same State with himself. How incongruous and absurd for a representative to go about denouncing Marshals and Judges for obeying that Constitution which he also serves, and in voting them pay for serving! If he says 'Yes,' to my question above, then I ask, how does his relation to the catching of slaves, or any other subject on which Congress may legislate, differ from that of slaveholding Representatives themselves? If he says 'No,' and asserts that he has a right to interpret the Constitution for himself, and nullify an existing law, then I assert that he turns the Government into an anarchy. Every other man has the same right that he has. Hence, the Constitution will be one thing in Boston, and another thing at Philadelphia; one thing one side of the street, and quite a different thing opposite. Yet such a man calls himself a Union man—a supporter of the Constitution!

In England, what Parliament decrees is law, no matter how unreasonable. (See Blackstone, 1, 91.) They have no written Constitution. Here we have a written Constitution. Laws inconsistent with it are void. Such is the theory. But if the law-making power may make any law which it professes to think consistent with the Constitution, how do we differ from England? Our Constitution is then a sham. Mr. Mann has clearly and fully explained all this, on the 488th page of his volume, which I have not room to quote.

On this point—the authority of the Supreme Court—I have with me nine-tenths of the legal profession, and three-quarters of the statesmanship of the nation, past and present. That consideration is of weight, when no party prejudice mingles in the question. Let Mr. Mann answer the second reply of Webster to Hayne, contained in three or four pages—an argument which Marshall pronounced impregnable—before he expects me to spend time in carrying coals to Newcastle.

I know this 'magnificent conspiracy against justice,' which Mr. Mann calls a Government, is fast becoming one of *majorities* not of *Constitutions.* We are fast verging to unlimited democracy, the rock on which all former Republics are founded. Few men are doing more to bring about this result than those who are trying to introduce the theory of private interpretations of the Constitution, and to loosen the the obligations of oaths. But the evil is far greater than the mere destruction of this Government. Truth—the entire sacredness of promises—is the ligament that binds society together, and makes progress possible. The principle of limited, written Constitutions, interpreted by some power before set apart for the purpose, is the great political discovery of modern times. To elaborate this principle has cost the lavish sacrifice and patient sufferings of many generations, and the best blood of the race, shed on the battle-field and the block. Even the freedom of three million of slaves would be pur

is held at a point the least difficult of access, and at the least expense, in the whole country. That all the Abolitionists in the land should come up together to their Great Feast is not expected, though it were most devoutly to be wished. But that, with these advantages, a greater number from a larger extent of country may be got together there than anywhere else, we are assured, for we know it by old experience. We have many more crowded Meetings during the year than we can collect in New York; but none at which we should be able (and, in times past, have been able) to collect so large a company of active Abolitionists from almost, or quite, all the Free States. The number of those crowded Meetings and Monster Conventions, which carry the sense of the Slave's Wrongs and the Freeman's guilt into all corners of the country, depends very much on the spirit which is aroused or kept alive in those obscure meetings in the heart of the great Metropolis.

Much more numerous Meetings than the average of those following the Public Anniversary in New York (which has never failed to draw a full house) marked the Annual Meetings of the two last years, held respectively in Syracuse and Rochester. A greater number of minds were undoubtedly reached than we can get at in New York. But they were, almost entirely, gatherings from the immediate neighbourhood of those Cities, and not made up of delegations or individual members from all parts of the Free States, and from some of the Slave States, of which our New York Meetings used to be composed. They were excellent as Conventions or Mass Meetings, but did not answer the purpose of a general meeting face to face of Abolitionists from all parts of the country. At least one such Meeting should be held in every year. And we apprehend that New York is the only place in which such an one can be brought about. It should, and will, give rise to many such Meetings as those at Syracuse, Rochester and Cincinnati. It should be productive of many such, and, if fully attended and rightly conducted, it cannot fail to be so. Its object is not New York and its neighbourhood, which is all that a local Meeting looks to, but the whole field, which, if not the world, is the entire American portion of it. We think this distinction and these considerations important to be kept in mind, as an explanation of the importance which the Executive Committee attribute to the holding of the Annual Meeting in the City of New York.

In view of these things, and of the many advantages attending the social intercourse of persons engaged in a common public duty, but widely separated in the spheres of its performance, we urge all that can make it convenient to come, or who can come in despite of inconvenience, to be in New York on the eleventh of May. Let all parts of the country be faithfully represented by tried and true men and women. Let those who cannot come in person, contribute to send some one of their number whom they can trust to represent them. Let them come ready to represent the wants of their various quarters of the country, and the hopes and prospects of successful agitation there. And let them not fail to come prepared to strengthen the hands of their ministering servants by supplies, or pledges of the same, to be applied to the carrying on of a persistent and indefatigable "*rub-a-dub* Agitation." It is just such an agitation that selfish politicians and prostituted priests fear and hate. It is such an one that the American Anti-Slavery Society exerts to create and promote. But this warfare no more than that of the sword, can be maintained without *sinews* to put it in action. Those sinews, it is the business of those desiring the battle to be fought and won, to furnish. We are sure that so great an amount of disturbance was never created with so moderate an expenditure of means as has been bestowed on that with Slavery. That battle, though often baffled, must yet be won. But it will be won only after hard fighting and long labours. But we are nearer victory now than ever before; so it behooves us not to hold back the edge of the sword. Remembering the advice of the Apostle—"not forsaking the assembling of ourselves together, as the manner of some is; but exhorting one another: and so much the more as ye see the day approaching."

E. Q.

THE MEETING AT STAFFORD HOUSE.

We mentioned, in last week's *Standard*, that a second meeting had been held at Stafford House, on the completion of the signing of the Address of the Women of Great Britain to the Women of the United States on the subject of Slavery. The Rev. Dr. Lowell, of Boston, has very kindly sent us the following report of the meeting, which he received from the Duke of Sutherland:

COMMITTEE ROOMS,
10 PALL MALL EAST, LONDON,
March 22, 1853.

On Saturday last, a meeting was held at Stafford House, at which were present about forty of the ladies who had assembled at the same place Nov. 26, 1852, to promote the Address from Women of Great Britain and Ireland to the Women of the United States on the subject of Slavery; also several other ladies of the Society of Friends.

The following report of the sub-committee was read to the meeting by the Duchess of Sutherland:

"The general Committee for obtaining signatures to the Address from the Women of Great Britain and Ireland to the Women of the United States on the subject of Slavery has been assembled here this day for the purpose of receiving the report of the sub-committee, and of giving directions for the transmission of the Address, which is now ready, to the United States.

"The number of signatures amounts to 562,848, and it may safely be asserted that there is scarcely a single district of Her Majesty's European dominions which is not represented. Great zeal and sympathy universally prevailed, and nothing but the short space of time allowed for the work prevented a very large multiplication of the numbers.

"It is proposed to send the Address to Mrs. Beecher Stowe, who has undertaken to make such arrangements as shall give it the greatest publicity. Every one will feel that this lady's co-operation is of real value.

"The general committee are also desirous to acknowledge the efficient services of the sub-committee, and especially to express their thanks to Mrs. Sutherland, who has acted throughout, as Honorary Secretary, and has devoted much time and attention to the work.

"The general committee are also desirous to express their thanks to the ladies and others named in the list subjoined for the large number of signatures collected by their efforts."

The list which concludes this paper was then read, and the Address, with 26 large folio volumes of signatures, was brought forward. A copy of the Address itself, as illuminated on vellum, will probably appear in this week's number of the *Illustrated London News*, and the volumes, contained in a strong oaken case, may be seen, on Monday next, at the Caledonia Hotel, Adelphi, Strand.

The Duchess of Sutherland then read a letter from Mrs. Beecher Stowe, in which she expressed her readiness to make arrangements for the reception of the Address, and mentioned encouraging instances of the beneficial effects already produced in America by this letter from the women of England, at the same time announcing the immediate appearance of a new work from her pen, which is intended to substantiate, by documentary evidence, the facts in the wonderful story which has been already so extensively read.

Before the meeting separated, the first copy of the book referred to, called a Key to Uncle Tom's Cabin, having been procured from the London publisher an hour previously, was presented, in the name of the Committee, to the Duchess of Sutherland.

Occasionally a Southern newspaper comes to us marked that our attention may be called to some incident which the editor, or whoever we are indebted to for it, thinks will modify our estimate of the system of Slavery. In almost all, perhaps in all, cases the fact referred to goes to show that between some slaveholder and his slaves there exist a feeling of esteem and affection—as, for instance, some good old creature has died, and his or her master, with many of their white neighbours, followed the body to the grave; or some master has gone to his long account, and his slaves have testified, by their sorrow at his obsequies, the estimation in which they held him when in life.

Our Southern monitors are quite mistaken in our Anti-Slavery if they think we do not accept and rejoice at such evidences that the slaves are not altogether wretched, and that their masters are not altogether vicious. We have been favoured to know some, and are glad to believe that there are other masters and mistresses who have endeavoured to make the relation between them and their slaves not altogether evil, and, as it is, on the one hand, one of entire dependance, have determined to render it, on the other, one of a conscientious responsibility. But these unfortunately are the exceptional cases, and the fact that, whenever such incidents as we have alluded to occur, they are thought of importance enough to call to them the especial attention of an Anti-Slavery Journal, shows, very conclusively, that they are the exception and not the rule. The simple truth is, that whenever the relation between master and slave is one of esteem and mutual kindness, it is so in spite of Slavery, and not because of it, as our Southern contemporaries would have us believe. It does not show that the essential character of Slavery is good because it does not always tread out all the better feelings of the human heart, any more than it is an evidence that piracy is a good profession because a pirate may be a kind father or indulgent to his crew.

Nevertheless, we are quite willing to give to Slavery and its defenders the benefit of all such acts of mutual kindness, and accordingly we copy this paragraph, which comes to us marked in the *Memphis* (Tenn.) *Appeal*, of March 29th:

BURGLAR CAUGHT.—At a late hour on Saturday night Mr. Oliver Greenlaw, who resides in the vicinity of the city, having occasion to go to his door, after all the inmates of the house had retired for the night, discovered in the hall a man in his stocking feet, whom he attempted to arrest, but the midnight prowler made good his escape—at least from the house—and was promptly followed by Mr. Greenlaw, who, in the pursuit, gathering a fragment of a board, at length came up with and commenced upon him with the inefficient weapon. The man succeeded in wresting from Greenlaw a portion of the billet, which was broken by contact with his head. The man was also armed with a knife, and by his desperate conduct, and being a much larger and stouter man, was probably getting the advantage of him, when Mr. Greenlaw's negroes, hearing the noise of the desperate encounter, came to his assistance and overcame and secured the man, not without the interposition of Mr. Greenlaw to save him from destruction by his negroes. The man's name is Cornelius. He was, on Saturday, brought before Esquire Rose, who committed him to Raleigh jail for trial. We think that Mr. Greenlaw deserves great credit, in view of these facts.

The credit, we think, rather belongs to Mr. Greenlaw's negroes; but we are not certain that their interference proves anything more than that the men were not indisposed to the excitement of a row. At any rate, make the most of it, and it is only a single fact showing that there is, near Memphis, a slaveholder whose slaves are so well disposed toward him that they were not willing to stand quietly and see him murdered; and then we turn to another column of the same paper to look for a more universal fact in relation to Slavery. And here it is:

500 Negroes Wanted.

We will pay the highest cash price for all good negroes offered. We invite all those having negroes for sale to call on us, at our mart, opposite the lower steamboat landing. We will also have a large lot of Virginia negroes for sale in the fall. We have as safe a jail as any in the country, where we can keep negroes safe for those that wish them kept.
june14-d&wly BOLTON, DICKENS & Co.

The Boston Commonwealth has been greatly exercised of late by the controversy now going on in the *Liberator* between Messrs. Mann and Phillips, and which we are copying into this paper. Of course it thinks that Mr. Mann has altogether the best of the argument, and, as it is naturally anxious that its readers should be of the same mind, it keeps them carefully informed of the gist of what that gentleman advances, but leaves them to guess how well he may have met Mr. Phillips, or what Mr. Phillips' replies may have been. As to whether this is altogether just, we might venture to indulge a private opinion without venturing to say much about it, but we are willing to declare publicly that, if it be true, as the *Commonwealth* evidently thinks, that Mr. Mann has left very little of the "Garrisonians," and that, when he gets through with them, the places which know them now shall know them no more forever, it is hardly generous for that paper to come forward and volunteer its aid to this utter annihilation. Not to strike a man when he is down is not considered any very great forbearance; but for a bystander to step forward, who is only interested as a spectator, and kick, and trample on, and jump upon, and in every possible manner to gouge, and belabour, and mutilate the poor prostrate combatant, that, even in the ring, would be considered as altogether ungenerous, not to say dastardly. But, either because of the *Commonwealth's* natural proclivity to a fight—of that sort—or because, after all, it has an instinct that Mr. Mann will not do his work up in a thorough manner, that paper, for several weeks past, has been doing this very thing. Here is a specimen. It says in its last weekly No:

The oldest, the boldest, the rankest, the craziest of political organs, is the *Liberator*, the mouth-piece, the horn, of a sect whose self-righteousness makes them attempt to monopolize the generic name of Abolitionists, while their true name is that of Garrisonians; as the disciples of Joe Smith claim exclusive right to the generic name of Christians, while their true name is *Jo-Smithists*, or Mormons. The *Liberator* being the organ of honest and earnest men whose peculiar organization makes them use weapons and denunciations and vituperation, just as the mental organization of certain preachers makes them seek texts of wrath, out of which they can extract bitterness and "deal damnation around the land," thinking all the while to please a God whose tender mercies are over all his works.

And so it goes on in this excellent spirit to compare Mr. Mann to a peaceful traveller, and Mr. Phillips to a very contemptible cur, whose head the aforesaid traveller, not disposed to submit to much yelping, proceeds incontinently to cut off as a warning to all other dogs of like degree.

In the meantime it will be well for us poor 'Garrisonians,' the little while that is left for us to live, to take, however hard it may be, the *Commonwealth's* lesson to heart, and learn from it forbearance, magnanimity, mildness of speech, and humility of spirit, and to endeavour to find such aid as we can in this good work by observing how eminently all these virtues shine in the letters of Mr. Mann, and how they are wanting in his vituperative opponent.

Everybody has heard the story of the sailor who, on witnessing a sale of negroes in New Orleans, said to a companion, "Jack, if the devil don't catch them fellers, then there aren't no use in having any devil!" A friend has handed us a letter from another sailor who has probably come to a similar conclusion. The writer is the mate of a vessel which recently put into Charleston, South Carolina, to repair damages sustained in a gale of wind. This was the welcome to the distressed mariners:

"Our Steward and Cooks had to go to jail, and no amount of bond would answer in their stead. They said it was the law of the State, and they could not alter it. We had the men on board, however, two days, for which we had to pay an officer $5 per day for watching them!"

But little time was afforded him for observation on shore in the brief time of the vessel's stay in Charleston. In one of his walks, however—perhaps it was his only one—he happened to witness a sight, which any traveller may see, almost any fine day, in a Southern city, and which strongly moved the good sailor's heart. He says:

"On Thursday last I had to go to the Custom House with the Log Book, to get a protest made out on account of the damage the vessel received in the gale we had in the Gulf; and when I came in front of that building, I saw a sight I should not like to see again. It was a sale of Human Beings at auction, and horses and mules were being sold at the same time, and at the same place. A little girl, about seven or eight years of age, was the first one offered. The first bid was $150. The bidding then went on with great spirit, till it reached $481, at which price she was sold. While the sale went on, she would follow each bidder with her eyes, as though she sought to know what kind of a person her new master was like to be. Her countenance all this time showed too well the feelings of her heart, and that, it seemed to me, was ready to break. I hope I shall never witness such a sight again.

"Next was a man about forty years old, put up as a prime hand on the farm. Before he was sold, which was at $550, he was moved about and turned around as a horse would be at the Bull's Head in New York.

"Three more were sold, but I had not time to wait to see more. This will show you, however, how such things are done here. The auctioneer goes as coolly about the business as if he were selling a case of Dry Goods."

Anti-Slavery Lectures in England. — *The* (London) *Anti-Slavery Reporter* states that lectures were given, during the month of March, in England, as follows: By George Thompson, on the 7th and 8th, at Basingstoke; on the 15th and 16th, at Romsey; and at the Cowper-street School Rooms, City Road, on the 25th: large and influential audiences. By Mr. W. Wells Brown, on the 7th, at Portsmouth; on the 8th, at Gosport; on the 14th, at Ventnor; on the 15th, at Chichester; on the 18th, at Emsworth; on the 21st, at Midhurst; on the 22d, at Petworth; on the 23d, at Bognor; on the 24th, at Arundel. By the Rev. E. Matthews, of Wisconsin, on the 5th, at Evesham; on the 16th and 23d, at Chepstow.

The *Reporter* adds that a meeting was also held at the Mechanics' Institute, Chatham, on the 23d, for the purpose of promoting the 'Stowe Testimonial.' The chair was occupied by Captain Kains, R.N. The speakers were George Thompson, Esq., and several gentlemen of the locality, but our limited space precludes a more extended notice. The meeting was well attended, and some excitement was produced by the exhibition of an early copy of the 'Key to Uncle Tom's Cabin.'

☞ By the official returns of the late Presidential election, it appears that out of 3,162,890 votes, 155,840 were for Hale, and for Goodell 72. Our Liberty party friends must be somewhat discouraged by such returns, if their hope of reforming the Government lies in political action. Seventy-two votes are hardly enough to be called a nucleus. Such a very little bit of leaven will, we fear, be more likely to be dried up by the immense mass around it, rather than to add to its own size by attraction.

☞ The Spanish paper in this city, *La Cronica*, thinks that Mr. Soulé, the new Minister to Spain, will not be received by the Spanish Government. The filibustering antecedents of that gentleman are so unmistakeable that the Court at Madrid may consider his presence an indignity which its self-respect will not permit it to submit to. It is a question whether his staying or returning will be likely to lead to the most trouble.

Death of Vice President King.—The Telegraph announces the death of Mr. King, the Vice President, at his place in Alabama, on the 18th inst.

[For the Standard.]

THE EXTRADITION OF FUGITIVE SLAVES.

[Continued from last number.]

I do not think the able arguments that have been offered to vindicate the American Constitution from the charge of sanctioning Slavery have been ingenuously met. Abolitionists have been interested by them, as ingenious defences of a desperate cause. Pro-slavery jurists and judges have never even felt at liberty to entertain the discussion, warily keeping in the line of bad precedents rather than trusting their own reasons with an independent re-investigation of the subject. The same cool audacity that has subsidized the popular religions, and made them instruments of supporting and sanctifying Slavery, has perverted all the precedents of law and bribed the opinions of jurists to give it a Constitutional character. Slavery first went to a false Christianity and got itself *baptized*, next to a bribed judiciary and got itself *legalized*. We have allowed ourselves to be pushed from the consistency of our private opinions by the persistent effrontery of this monstrous assumption. Public sentiment always modifies the rigidity of law. A bad public sentiment has from the first tampered with and degraded the original phraseology of our primal law. We have gratuitously admitted that Slavery was a national institution. Even Northern women have chosen to load upon their own consciences the intolerable guilt and meanness of slaveholding, and to fling back angry reproaches upon those who have meekly rebuked it, rather than to repudiate it as a local rascality, for which they were no more responsible than for polygamy among the Mormons. This popular impression is not based mainly upon the constitutional obligation, but results from that sedulous surveillance which the slave-power have exercised over legislation, law and public sentiment.

The tyranny of this oligarchy would have been no less complete if there had been no equivocal language in the Constitution for it to pervert, for it has never hesitated to violate even its own sense of the Constitution when its exigencies required it. The largest power it ever claimed would have proved insufficient for its own maintenance, nay even for its own existence. While the spirit of freedom has been held to the very refinement of strictness in its construction of the Constitution, Slavery oversteps its letter, profanes its spirit, and sets at defiance its fundamental guaranties. The rulings of the American judiciary under the obviously unconstitutional *Fugitive Slave Act* show conclusively that they are not in a position to give reliable opinions, where the interests of Slavery are concerned. The weight of this influence, therefore, of a public sentiment so deeply rooted and far-spread, sedulously cultivated by political and commercial interests, supported by the zeal and eloquence of all ambitious men, should first be carefully estimated in order to be laid out of the discussion of our Constitutional obligations towards Slavery.

First, let the question be met whether there is any debatable ground here for us at all. The Supreme Court of the United States, say some, have decided (granting that they have) that the Constitution contains a specific obligation to return fugitive slaves; the Supreme Court alone can make authoritative interpretations of the Constitution; the general obligation to support the Constitution carries with it an obligation to abide by such authoritative interpretation. This formula has been pushed to an unwarrantable length, as if it presented the conclusion of the whole matter, while in fact these propositions are scarcely relevant to the direct line of the discussion. The United States Supreme Court has no peculiar power. It is just like any other court, and has the same kind of powers as the petty municipal Court, or the county Justice of the Peace. Neither the one nor the other ever presume to settle questions coming before them *speculatively*, but only *specifically*, and in reference to the *particular case* under their consideration. Law is not an exact science; its oldest precedents are but opinions originating in a fluctuating discretion, and not discovered principles of absolute truth. Courts do not presume to utter oracles; the whole force of their judgment exhausts itself in the single issue of the case. They do not determine even the abstract rights of the parties in the matter litigated, but only that one shall enter upon the possession of his claim and that the other shall submit to that possession. The same parties may litigate a similar controversy before the same tribunal the very next day, and that tribunal, instead of being bound by the precedent of its former decision, may affirm an opposite one, and reverse the relation of the parties. The decision, when arrived at, only determines a *status*, in which the parties must acquiesce, as the end of *that* controversy. It has no more power to influence their abstract opinions than to influence their feelings. The litigant who strenuously contested a claim he believed to be right, and his advocate who conscientiously argued it, retain their abstract opinions after they have been adjudged unfounded, by a tribunal, from which no earthly appeal can be taken.

If a court does not even presume to change the abstract opinions of persons contesting claims before it, if it gives and will give no pledges that it will be itself bound by its own judgments, if it will not permit itself to be a moment hampered in the freedom of its discretion, how can judicial judgments effect *speculatively* other persons than those immediately concerned? Why am I held by the opinion of an old court, when that court is not held by its own opinion?

To say that the decision of the United States Supreme Court fifty years ago, or one year ago, putting a construction on the Constitution, in the adjudication of a particular case, shall shape my private opinions of the obligations of that constitution, shall determine the sense in which I, and every functionary, State or National, take the oath of allegiance, the sense in which the great mass of my countrymen recognise their citizenship, is giving to that decision a scope and authority for which I can see no sanction in the constitution. If we have a tribunal of such peculiar character, it is an anomaly in our political system. No court in any civilized or uncivilized country was ever created for such a purpose before. Law itself is metamorphosed in the judicial utterance of such a tribunal, and takes its place with chemistry and mathematics among the exact sciences. The only sphere of legal investigation left is, not what is the law, but what has been decided; what are the precedents. If the Supreme Court has such an extraordinary jurisdiction over private opinion as this, then the whole range of American politics is vastly restricted. All discussion in Congress or by the press, upon matters either directly or inferentially legislated upon in the Constitution, is perfectly irrelevant, unless as argumentation to influence the Courts. Free thought and free inquiry only wait the convenience of the national judiciary to impose upon them the perpetual silence of despotism. No political question has been discussed since the formation of the government which the Supreme Court may not, any day, put in the category of *res adjudicata* and require every citizen, upon the sanction of his oath, to conform his private opinion accordingly.

The fact is, the Supreme Court have no more power to interpret the Constitution than has the "*foul Fugitive Slave Law Commissioner.*" Neither pronounces an opinion that convinces my judgment or compels my assent, but both may inflict upon me or my friend a legalized outrage of fines, imprisonments, enslavements, against which I find myself provided with no legal redress. Because they have wrongfully decided against my liberty, am I to believe ever afterwards that I have no legal liberty, and confess that I was mistaken in so pertinaciously claiming a boon to which I had no right?

In this connection I may as well dispose of a subject corollary to the main argument: What is the obligation of our national oath of allegiance, our swearing to support the Constitution, and towards whom is it assumed. It is thought that the fact, that the United States have a written Constitution changes the nature of the contract of citizenship, and thus a man might hold a seat in the British Parliament, who would be kept by stress of conscience out of the American Congress. In the former office, it is said, he swears general allegiance to the laws and precedents of the realm; in the latter, to observe the terms of special stipulations in a written Constitution. But there is no great dissimilarity in the promise of the oath in the two cases. All governments have a right to expect from their citizens allegiance to their fundamental law, their constitutional existence. This allegiance is the expression of a natural relation, like that of children to a father. In all cases it is subservient to the higher obligations of abstract morality. It is allegiance to the nation's character, to its purity, to its vitality, in one word, to its highest welfare. This is the leading obligation of the oath to support the Constitution of the United States. It is an oath of fealty not so much to specific clauses as to its whole substance and spirit, to the rights and liberties it secures, to the democracy it defines and guarantees. This oath is more sacredly kept in devotion to the great principles which constitute the vital spirit of the Constitution, than in slavish acquiescence, in the bad sense, which a tribunal and a public opinion, bribed in the interests of oppression, have imputed to its *letter*.

If the oath is to be considered as a promise, then, as in all other oaths, the promisee is God and the conscience. It is not a promise to the nation. They can neither exact nor interpret it. Even if it were a promise to the nation, it is not to the majority of the nation, nor to its controling interests, nor to the nation of to-day. It is a promise to the millions of the enslaved; to ancestors whose work we pledge ourselves to maintain and protect; to a posterity to whom we desire to hand down a pure life and a just fame.

Never before in our history was the fidelity of the patriot and philanthropist so much required to *support* the Constitution, weakened by repeated assaults of an arrogant and domineering tyranny, perverted to a propoganda of Slavery, housing behind its fair pillars, and beneath its massive roof, the ruffian breeders and buyers of human flesh.

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[To be Continued.]

TO CORRESPONDENTS.

W. P. C. We have not a No. of the paper he sends for left.

Miscellaneous News.

Santa Anna has been chosen President of Mexico by a vote of nineteen States against five.

Miss Caroline E. Putnam, of Salem, has opened a barber-shop in that city.

Mock Auctions.—The bill to suppress the nuisance of mock auctions in this city has passed the Legislature.

The first annual meeting of the Ohio Women's Rights Association will be held at Ravenna, Portage County, Ohio, commencing on Wednesday, the 25th of May next, at 10 o'clock A. M., and continue two days.

Dr. Kane has received his instructions from the Navy Department, for his Northern expedition. He expects to sail about the 1st of May, in Mr. Grinnell's brig Advance, and will endeavour to penetrate the Polar Sea via Baffin's Bay.

There is in the library belonging to the Academy at Germantown, Pennsylvania, the identical telescope used by Gen Washington at the battle of Germantown, Oct. 4, 1777. It is a cumbrous instrument, and must have required considerable muscular power for its use. There is in the same library a copy of the Bible—Geneva Edition, 1610.

Senator Hale on board the Sloop-of-War Germantown.—John P. Hale, the author of the law abolishing flogging in the United States Navy, by invitation of Commander Nicholas, recently visited the United States sloop-of-war Germantown, at Charlestown. The crew was mustered, and the ex-senator made a brief speech to them, complimenting them for the high character which had been paid them by their commander and other officers. He was most heartily cheered upon his arrival on board, at the close of his remarks, and again on his departure. Commander Nicholas stated that, so far as his ship is concerned, the law works well.

Female Labour.—We (*Post*) are glad to see that the controversy which prevails among workingmen and their employers, as to the wages of labour, has suggested to some of the latter the propriety of employing females more largely in many branches of trade. Many occupations to which women are peculiarly fitted, are now usurped by stout, hearty fellows who would be of much more service to the world if they were employed on farms or in building railroads, or in the heavier kinds of mechanical labour. Clerkships in dry goods, book and jewelry stores, and several departments of the print art, wood engraving, &c., are eminently adapted to them, and they ought to be preferred in these kinds of labour, when they can be had.

The *Providence Journal* says that the attempt to raise money enough, by subscription, to retain Mr. Webster's Marshfield estate in the possession of his family, is likely to fail, and that the place will necessarily be sold. It infers that the people of Boston are a good deal more apt at making speeches in honour of Mr. Webster's memory than in acting in compliance with his expressed desires. The Boston *Courier*, in correction of an inference which may be drawn from the *Journal's* language, states that everything at Marshfield which the public would desire to see preserved as a permanent memorial of the great statesman—meaning, probably, the house and grounds adjacent—will be secured for that purpose; but that it is not yet settled that his wishes, in regard to his birth-place, in New Hampshire, can be carried into effect.

Spiritual Rappings.—In the Massachusetts Legislature on Friday, an order was adopted, directing the Committee on Education to inquire into the expediency of providing legal restraints against the mischief perpetrated by spiritual rappings. The old commonwealth has, it is true, somewhat improved since the time of "ye horrid witches," in the matter of impertinent interference with private business; but even now too many pies must be opened by legislative fingers. In this city the rappings have ceased to excite much alarm or wonder. We are told that three papers are devoted to the discussion of the new doctrines; and there are several religious gatherings where they are regularly expounded to audiences embracing persons of the highest respectability. The more cultivated, however, among this sect, were favourably disposed to "spiritual" views by their previous adoption of some other form of mysticism.—*Post.*

The Senate adjourned yesterday *sine die*, after a special session of five weeks, the President having informed it that he had no further communication to make. This Executive Session of the Senate has been of unusual length—longer than any other called session within our recollection—indeed three times as long as that of 1829, on the accession of President Jackson, when the principle of proscription, till then unknown in our government, finding a fresh and unmown field, furnished so much work for the scythe. It is not in the present case, we apprehend, that the changes have been so numerous as to require so long a session; nor in the hesitation of the Senate in giving its consent to them; for it has been understood that there was difficulty on its part with but few of them. The cause of the protracted session is to be found doubtless in the difficulty of selection on the part of the Executive. On General Jackson's accession, his party was a homogeneous one, and, like his cabinet, "a unit." In his selection for office he had to consult only his own favour or the merit of the applicant; he had no cliques to conciliate, nor factions to harmonize; and all went smoothly. If any were disappointed, they feared to grumble, and none dared to "look rebellion." The case is now different. President Pierce was elected by the union of numerous and powerful conflicting party elements—a union which we do not mean to decry or disparage—and out of this circumstance has arisen numerous and almost insurmountable embarrassments in choosing between contending claimants, backed by their respective factions. As far as we know anything of the successful individuals, the selection has been, with very few exceptions, judicious and creditable as regards the public service. Of the few which we deem unfortunate we will not now speak. We may have occasion to express our objections hereafter.

Amongst the additional appointments made yesterday, before the adjournment of the Senate, was that of the Hon. James Buchanan, of Pennsylvania, as Minister to England, an appointment which, if the accomplished gentleman who now represents the country there was to be removed, everybody will approve as eminently fit and proper.

The Washington *Union* of yesterday morning is loud in praise of the appointment of Mr. Buchanan, and says Mr. Ingersol will not be relieved until the 1st of July.—*National Intelligencer, April* 12.

Curious Case of Amalgamation.—A case of more than ordinary interest was commenced in the Court of Common Pleas, before Judge Thompson, this morning. It is a feigned issue to test the validity of the will of the late William Johnson, a negro, who was reputed to have left a white wife and two small mulatto children, in life, besides a black wife, married a few days before his death. The white wife was in Court, with her two children. They were quite respectable in appearance, better clad than ordinary people, and might reasonably pass for persons in the middle walks of life. Another singularity attending the case is, that one of the female witnesses for the white wife is a white woman of great beauty and youth, who has a mulatto husband and children. She attracted considerable attention. We felt relieved when we ascertained that both these females were of foreign birth—one a Scotch, and the latter an English woman.

The facts of the case appear to be as follows: The decedent, William Johnson, in early life, was a slave in Virginia, from which State he fled to Pennsylvania. He soon became acquainted with a coloured woman, named Mrs. Harvey, who interested herself in his behalf, and prevailed upon the present Mayor Gilpin to purchase him from his Virginia master for the purpose of manumission. This was accordingly effected. Johnson followed the sea for several years, but being a man of strong mind and business qualifications, soon discovered that there were better ways open to persons of an energetic turn of mind to make a living than the drudgery and toil on shipboard.

Instead of spending his earnings while on shore in riotous living, as in his day was too much the case with seafaring men, he safely hoarded them up, until he had sufficient to open a sailors' boarding house in the southeastern part of the city. His new business prospered under his careful supervision, and in a few years the fruits of his industry and attention were manifested in his accumulation of real estate.

About twenty years ago—probably in gratitude for the sympathy Mrs. Harvey had felt for him while a fugitive from labour—he married her. She was a widow, with several children, among them a daughter, since known as Mrs. Douce, and now claiming to be his wife, and to whom and her four children by Mr. Douce, he bequeathed the bulk of his property.

His first wife (Mrs. Harvey) died in 1847, without issue by him. In the same year, a young woman named Catharine Flynn (the alleged white wife) arrived in this city from Scotland. The decedent became acquainted with her in three weeks afterwards, and, as she had none of the American prejudices against colour, it is alleged he married her. It is certain they lived together as man and wife, in one of his houses in Gaskill street. He spoke of her as his wife, and defended her, as such, against his coloured friends, whose antipathies against the intrusion of a white woman into their circle, as the wife of a rich coloured man, were of the strongest character.

From this alleged marriage sprang three children, two of whom are now living. They continued to live together up to the day he was seized with his last sickness, which appears to have been on the 23d day of November, 1852. Finding he was likely to be taken to his bed, he expressed a desire to go to his place of business in Lombard, above Front street, where he could in part superintend business, even while sick. He went to that house and was soon after taken to his bed and room, from which it appears he was never again able to depart.

Mrs. Douce was then living in the Lombard street house, with her children, in the capacity of housekeeper. Her husband was not living with her at the same time, and was reputed to be dead.

On the 4th of December, 1852, the will in dispute was made, and on the 8th a codicil was attached, making provision for a child not yet born of the body of the white wife. On the 14th of December, Johnson died. A few days prior to his death, he married Mrs. Nancy Douce, his housekeeper, at the Lombard street house, and his step-daughter by his first wife. She had four children living with her, who are named in the will by his own name, and are called his children. To them, after the death of their mother, who has a life estate, the large portion of his estate descends.

It is alleged that the will was procured by improper means, while the decedent was under the control of Mrs. Douce and Perry Tilghman, one of the executors. Perry Tilghman, it appears, dictated the will, which was afterwards taken to the room of the sick man, and confirmed by him in the presence of two witnesses, one of them being the gentleman who drafted the will, and who testified that he knew decedent's intentions as to his property beforehand. The will and codicil both are signed with a cross, the decedent not being able to write.

The will calls the white wife Catherine Fassit; and while it acknowledges her three children, calls them by her name. He gives to each $50 per annum during their minority, and bestows the property in Gaskill street, and that at the northeast corner of Christian and Fourth streets, to these three children, share and share alike, when they shall have attained the age of 21 years respectively.—*Phil. Bulletin*, 13 *th inst.*

Marriages.

Allen—King.—In New York City, March 30, by Rev. Thos. Henson, Professor Wm. G. Allen, of Magrawville, N. Y., and Miss Mary E. King, of Fulton, N. Y., daughter of Rev. Lyndon King, of Fulton, who have gone to Europe.

Deaths.

Shaw.—At Boston, on Friday, the 15th inst., Mrs. Robert G. Shaw, only surviving child of the late Samuel Parkman.

Jarvis.—In this city, on Sunday, the 17th inst., Russell Jarvis, Esq., for many years editor of the Phila. *Ledger.*

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Colonisation in Virginia.—A bill has passed both branches of the Virginia Legislature, setting apart $42,000 annually, to be applied in removing free persons of colour from the State to Liberia. A portion of the amount to be raised is to be derived from an annual tax of $1 each upon every free male person of colour in the State, between the ages of twenty-one and fifty-five years; $30,000 are to come from the tax on seals attached to registers of freedom.

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Miscellaneous Department.

THE WHISPERING TREE.

In the city of Cairo there once dwelt a Christian merchant, named Hanna, who had amassed a considerable fortune, so that envy often turned its glances towards him. As is usual, however, in this world, Hanna found cause to complain of his condition. It was true that he had a fine house in the street of the saddle-makers, that his furniture was costly, that his slaves, pipes, mules and asses were of the first quality. One thing was wanted; a son and heir to inherit his wealth, and continue his name.

Now, in an Eastern story, no sooner is this difficulty mentioned than we can, as a general rule, foresee that in some manner, more or less ingenious, the much desired addition to the hero's family is miraculously made. Sometimes, a pilgrimage is undertaken to the tomb of a Saint; sometimes, prayers are addressed directly to heaven; sometimes, a magician makes his appearance and gives two children, on condition that at a certain age he shall be allowed to claim one and slay it for the purpose of some horrible incantation; it following as a matter of course that he chooses the favourite, and leaves the disconsolate parent to cover his head with ashes, to clothe himself in sackcloth, and to perform all the heart-breaking ceremonies of an Eastern mourning. The difficulty in the case of Hanna, was that he had no wife and was determined never to get married; and, considering that he was past his seventieth year, the determination can scarcely be called unwise.

There was a mystery, however, in the life of this Christian, which will explain in some measure why he did not give himself up to absolute and sullen despair. About half a century before the period of which we speak, he had been a traveller, had visited Hind and Sind with many other wonderful places, had resided in Persia and sailed upon the Caspian.

He would tell to one or two intimate friends, that when at Ispahan he had loved and been beloved by a lady, whom he married and lived with for nearly a year. A child was born to them, a boy, on whom both showered all the treasures of their affection. But it happened, one day, that they were in the gardens in the neighbourhood of the city; and Hanna, feeling weary, went under some trees to sleep, whilst his wife sat with the child by the side of a streak of water that danced along through a grass-fringed bed. The young man's slumber lasted some time. The shadow which had protected him when he lay down had moved away when he awoke. Indeed, it was the sun playing upon his eyelids that recalled him from the land of dreams. He rose from the warm turf and called languidly for Lisbet; but, though he could see all across the meadow where he had left her under a locust tree by the side of the water, his eyes discerned no sign of life. He went forward slowly, stretching his arms and yawning, until he came to the spot where the young mother had been sitting. Here he saw traces of the trampling of many feet, both of horses and men; and a riband that had adorned the wrist of the child lay on the ground. Fear of a calamity came upon him. He gazed more eagerly over the meadow; and beheld a track through the grass as if a body of horse had rushed rapidly along. One loud cry of "Lisbet!"—a cry that burst in anguish from his lips, but to which he did not expect an answer—showed that he understood what disaster had befallen him. He sprang on the track of the ravishers; crossed the meadow; burst through a little screen of trees; and saw, on the extreme limit of the plain, just fading from his view, as it were a little moving cloud with a cluster of sparkling rays of light above it. The Turkomans were shaking their spears in triumph as they entered upon the desert with their prey.

Hanna had never obtained any reasonable information as to the fate of Lisbet. Perhaps he did not do all that some heroic natures would to recover her and the child. He sent messengers with offers of money to the tribes; he even undertook a journey to the stronghold of Jaffre Khan; but without success. The Turkomans hinted that perhaps the charms of Lisbet had smitten some independent chief, who carried her far away into the wilderness. After some years of vain waiting, the extreme manifestations of grief disappeared. Hanna resumed his commercial enterprises, and at length became established in Egypt, where he remained, buying and selling, until wealth surrounded him. But fifty years passed away, and he did not take unto himself another wife.

So far he easily confided to the few whom he called his friends; and when these would condole with him as to his childless position, he used to smile stangely and insinuate that there might yet be found an heir to inherit what he had amassed. Yet he never admitted that his hopes lay in the child of Lisbet, and that he had some faint reason for believing that he was not feeding upon a delusion.

The truth is that Hanna, who was a good, kind man—made better and kinder by all his misfortunes—as he was travelling between Bagdad and Damascus, several years after the loss of Lisbet, fell in with a poor man by the way, a poor, miserable man, who begged for succour from amidst some bushes; for he was totally naked, having been stripped by robbers. All he asked was a cloak and a loaf, that he might continue his journey and reach a neighbouring town. But Hanna stopped his kafila, and clothed and fed him, and gave him money, and set him upon a mule—his own spare, mule white and fit for a king—and took him all the way to Damascus, where he set him down in the street, without so much as asking his name, his country, or his faith.

This poor stranger was a Jew, who came, many years afterwards, to Egypt, and recognized his benefactor. He was also a magician, who discovered the secret thoughts of those with whom he conversed; so, he said, one day to Hanna, "There is a mighty sorrow within thee; for I see the signature of regret upon thy brow, near the right temple."

"I regret not to have a child," replied the merchant.

"Nay," said the Jew; "thy grief hath relation to a thing past. Tell me thy story, and I may be of service."

Hanna told his story; and the Jew forthwith went away, and burned perfumes, and uttered words, and wrote symbols, and wrestled with the keepers of the unknown. When he came back to the merchant, he said, "I have not discovered all that I wish to know; but they tell me, that if thou canst find the Whispering Tree, it will speak to thee of Lisbet and her child."

The Jew could give no further information; but Hanna, who believed, began forthwith to make cautious inquiries about the Whispering Tree. He questioned not only the people of Cairo, but wrote to all his correspondents in various parts of the globe, asking about this strange thing. Indeed he went about catechising the world in general respecting the mysterious Whispering Tree. But he got no information. All replied that they were ignorant. Nobody had heard of a tree that whispered. Year after year Hanna persisted in enquiring of every stranger who arrived from various provinces, whether he knew anything about the Whispering Tree; until time passed, and strength began to fail. When all his friends were tired of hearing him ask the same question, and he became tired of asking it, despair was a frequent visitor with him.

One day, he was at Gizneh, in a garden drinking coffee with his friend Malek, and listening to the bubbling of his water-pipe, when, along the path leading from the pyramids, appeared coming a string of laden camels accompanied by many men. "Is it the caravan from Mourzuk?" inquired Hanna—"Nay," replied Malek; "that caravan came in the week past: and I know not from what country this arrival may be." They went to the garden gate, moved by curiosity; and waited until the forerunners of the caravan came by.

Their costume was that of the sons of the desert, except that round the head was a wrapper which enfolded both the brow and the mouth, leaving little more than the eyes exposed.

"They are of the Muthelameen," said Malek; "and come from the deserts towards Beled-es-Soudan; but of what tribe we shall only learn by asking." Then he raised his voice, and said, "O strangers, merchants; from what country, and with what merchandize?" The addressed muttered from beneath his muffler, "From Agdaz in the land of Ahir, with gold dust and ivory, and a remnant of slaves, the strong and the sturdy, the rest having perished by the way." So saying, he passed on.

"Hast thou ever heard of this country?" inquired Hanna. "But little," said Malek. "It is not a country of commerce; and I cannot understand why they should have come this way." As he spoke, a youth of pleasant countenance, riding on a camel, with his mouth uncovered, came slowly towards them. "O young man," cried Hanna, as if obeying a sudden inspiration, "thou comst from unknown lands over wonderful regions. Perchance thou canst tell me of the Whispering Tree." "It is at Kama," replied the youth, striking with his heel the neck of his camel, and causing it to turn out of the line and stop, "and what, my father, is the reason of thy curiosity?" "'Tis a long story," replied Hanna; "but if thou wilt alight and repose thyself after thy fatigue, I will relate it to thee." The young man leaped down, called to a black man who had followed him on foot to take care of the camel, and entered the garden with the two old men.

When he had heard the story of the merchant, the young stranger said: "My story is similar to thine, O my father. Thou art seeking what thou hast perhaps never seen. I am seeking what has only appeared to me in a vision. I come not of the Muthelameen of Agdaz. My father was a merchant of Egypt, who travelled with me into the land of Talebs, of wise men and magicians, and dying, left me there a child. Now it happened that a year ago I dreamed a dream, and, lo! a maiden of surpassing beauty came and bent over me like a lily over a pool of sleeping water, bent and bent until her lips swept my temple, and I awoke tremulous as after a kiss of love. I stretched my arms in the darkness, but there was nothing; I called my slave, who came with a light and searched the room, and there was nothing. Then I knew that I had dreamed, and turned upon my pillow again, and sought to return to the country which I had quitted. Soon I slept again, and the same maiden appeared—but this time afar off—beckoning me to follow. I endeavoured to rise, but my limbs had lost their vigour. I struggled; but in vain. The earth drew me still closer to it, until I burst away into consciousness, and found myself trembling in the bed. From that time I pined for love of the maiden of my dream, and nought would content me. My friends at first laughed and mocked; but when I became in truth sick and pale, and unable to rise from the bed—unable and unworthy; for whenever I slumbered, the same form of beauty appeared—when I drew near to the gates of death, they brought to me a wise man who inquired into my case, and smiled when he heard what had befallen, saying—

"The remedy is not easy; for the road is long, and there are dangers by the way. But if thou hast courage, thou wilt hear what thou wishest murmuring amidst the leaves of the Whispering Tree." He then told me that this tree was situated at a place called Kama, in Khorassan, beyond Persia. I instantly sold all my goods, and prepared to depart with a caravan that was bound for Tripoli; after we had travelled a month, we came to a country where there was war; and we were compelled to traverse the regions of Thibet, and the Haroni Mountains, and the Wahs, and to travel through many disasters to Egypt. This is the reason why we have met; and now it will be better for us both to journey together in search of this wonderful tree."

When Hanna heard what this young man said, that Kama was in the country of Khorassan beyond Persia, he doubted not but that he should hear there some news of the lost Lisbet and her child. He therefore resolved to depart in company with the young man, whose name was Gorges, although the prudent Malek objected his great age, and the possibility of danger and death. In a few days the worthy merchant had closed his business for that season, and with a purse of money and a case of jewels, was ready to accompany the love-lorn Gorges.

The narrative need not trace their itinerary. Many months elapsed ere the young and the old traveller—the toys of love and parental affection—were wandering, disguised in humble raiment, through the wilds of Khorassan, asking of the rare people they met for a place called Kama. Nobody seemed able to give them any intelligence. The place was a place unknown. They began to think they were the victims of delusion; and when they had passed several years in the vain search, it is said that they became, as it were, mad. They thought and talked of nothing but the Whispering Tree of Kama. The people in the villages and the encampment knew them as the strange questioners, and pitied their case; and instead of harming them whenever they met them on the road, would cry, "Has there any news been heard by ye, O melancholy searchers? O father! O brother! has the unknown place been made known? Has the secret been revealed?" Thus they continued wearying the desert with constant going to and fro, until Hanna became a bent shadow, and the youth grew to be a bearded man.

It happened one evening as they were going through a mountainous country which they had not hitherto trodden, far on the way to Bukharia, they came to a small valley locked in the embraces of rugged rocks. Its surface was like a green emerald. Grass, and shrubs, and trees, and flowers, spread to the feet of perpendicular cliffs. A silver stream wound here and there, as if unwilling to leave so pleasant a spot, and at last gathered into a small lake without apparant issue. The two wayfarers expected to find a village where they might pass the night. But there was no sign of human habitation. The night began balmily; the stars shone warmly; there was scarcely any breeze; and the little that blew was warm and fragrant as the breath of woman. Hanna and Gorges lay down under the shadow of a tree, and slept as the travel-weary alone can sleep.

They both dreamed a dream—if dream it was. The tree above their heads began to wave and wave its boughs; murmurs seemed to creep from every leaf; there was a hum and a buzz, as if a swarm of bees was settling over head; and by degrees a chorus of small voices seemed to sing: "This is Kama, Kama, Kama! Go no further; but tarry here. Rest and peace will find you; for this is Kama, Kama, Kama!"

All night long the same melody refreshed their ears; and an evil spirit, who bent over them intending to do them wrong, fled away; for, on seeing their smile of happiness, he said to himself—"That is the smile of the angels of God!"

The birds were singing when the old man and the young awoke. The name of Kama was still ringing in their ears; and it seemed as if the thrush that had come to perch in the boughs overhead was repeating it. Suddenly a clear sweet voice sounded over the meadow, and the wayfarers beheld a maiden with a jar upon her head, tripping lightly along a pathway that passed near them and led to the stream. She was singing, and the burden of her song was: "Fair is the valley of Kama!" Hanna turned up his eyes with gratitude towards the Whispering Tree; but Gorges kept gazing intently at the maiden. His dream stood before him embodied.

The maiden of Kama was alarmed at first at the aspect of strangers; but they soon contrived to reassure her, and bidding them wait until she returned from the stream, she promised to conduct them to her dwelling. They waited accordingly, and following her steps, which she made slow out of respect to the age of Hanna, passed by a green garden, in the midst of which were three graves, and reached a kind of hermitage scooped in the rock, in front of which, on a sunny bench, sat an old man with a huge white beard that swept to his knees. No stranger had penetrated into that valley for many a long year; but the patriarch was past the age when surprise is possible, and meekly bade the travellers to be seated on the bench beside him.

When they had refreshed themselves with rest and food, the old hermit bade them tell their stories, whilst the maiden sat at their feet, a little nearer to Gorges than to the others, listening with downcast eyes. Hanna related what had sent them in search of the Whispering Tree of Kama, omitting nothing, not even the love of the young man for the being of his dream. The hermit smiled in his white beard and said: "I am one hundred years old, and no longer fear the enmity of man; for I am in hopes of the mercy of God. I have sinned, but I have suffered. It was I, O Hanna, who took away thy wife Lisbet. I took her to my tents, not far from this valley; but she refused her love and died. Then I desponded and retired to this hermitage with her child, which I bred as my own. I called him Kama, which in our tongue means the Bereaved, and named the place of our dwelling after him. He grew up not knowing his origin, and in due time knew a maiden, and took her and dwelt with her in happiness until he died, and she died leaving this daughter to my care. There are the graves of Lisbet, and her son, and her son's wife," said the old man pointing to the three mounds of earth. His hand fell, says the story, with a rattle. Old age had done its work. He had lived to restore the grand-daughter of Lisbet to him who had so long sought for herself; and was buried in the little garden before his hermitage.

The worthy gentleman who related this story to me, after observing that of course Miriam became the wife of Gorges, and that they and Hanna returned in safety to Cairo, endeavoured to play the free-thinker by explaining that whatever seemed supernatural in this story was purely ornament; that the Tree most probably did not whisper at all; and that there was nothing in it incompatible with the supposition of an extraordinary coincidence.

I observed, however, that while venturing on this ticklish ground he had an uneasy look which reminded me of those philosophical young gentlemen whom one meets in society, and who observe in a dismal voice that they believe in nothing they do not understand.

The fact is, these Levantines are as credulous as the Muslims; and, although their stories are not quite so wild and extravagant as those of the Arabian Nights' Entertainments, they exact the exercise of nearly as great an amount of faith. I mentioned this to the narrator, and observed, instead of entering upon a philosophical discussion with him, that he seemed to lay no stress on the joy of Hanna at recovering his grand-daughter, or on that of Gorges at beholding the lady of his dream.

"As to the latter point," said he, "we can all imagine the feelings of the young man; but I remember that it is usual to say, in telling this story, that the good old Hanna—whilst the hermit was telling his story—put his arms round the necks of Miriam and Gorges, and pressing them to his breast tried to speak, but could only give utterance to a loud cry of triumph and joy. They say, too, that he always wandered in his speech a little afterwards; and would, now and then, wish that he were asleep in Kama by the side of Lisbet."—*Household Words.*

THE SACK OF BALTIMORE.*

From The Poems of Thomas Davis (Dublin, 1846).

The summer sun is falling soft on Carbery's hundred isles—
The summer's sun is gleaming still through Gabriel's rough defiles—
Old Inisherkin's crumbled fane looks like a moulting bird;
And in a calm and sleepy swell the ocean tide is heard;
The hookers lie upon the beach; the children cease their play;
The gossips leave the little inn; the households kneel to pray;
And full of love, and peace, and rest—its daily labour o'er—
Upon that coay creek there lay the town of Baltimore.

A deeper rest, a starry trance, has come with midnight there;
No sound, except that throbbing wave, in earth, or sea, or air.
The massive capes, and ruined towers, seem conscious of the calm;
The fibrous sod and stunted trees are breathing heavy balm—
So still the night, these two long barques, round Dunashad that glide,
Must trust their oars—methinks not few—against the ebbing tide—
Oh! some sweet mission of true love must urge them to the shore—
They bring some lover to his bride, who sighs in Baltimore!

All, all asleep within each roof along that rocky street,
And these must be the lover's friends with gently gliding feet—
A stifled gasp! a dreamy noise! "the roof is in a flame!"
From out their beds, and to their doors, rush maid, and sire, and dame—
And meet, upon the threshold stone, the gleaming sabre's fall,
And o'er each black and bearded face the white or crimson shawl—
The yell of "Allah" breaks above the prayer, and shriek, and roar—
Oh, blessed God! the Algerine is lord of Baltimore!

Then flung the youth his naked hand against the shearing sword;
Then sprung the mother on the brand with which her son was gored;
Then sunk the grandsire on the floor, his grand-babes clutching wild;
Then fled the maiden, moaning faint, and nestled with the child;
But see, yon pirate strangled lies, and crushed with splashing heel,
While o'er him in an Irish hand there sweeps his Syrian steel—
Though virtue sink, and courage fail, and misers yield their store,
There's *one* hearth well avenged in the sack of Baltimore!

Mid-summer morn, in woodland nigh, the birds began to sing—
They see not now the milking maids—deserted is the spring!
Mid-summer day—this gallant rides from distant Bandon's town—
These hookers crossed from stormy Skull, that skiff from Affadown;
They only found the smoking walls, with neighbours' blood besprent,
And on the strewed and trampled beach awhile they wildly went—
Then dashed to sea, and passed Cape Cleire, and saw, five leagues before,
The pirate galleys vanishing that ravished Baltimore.

Oh! some must tug the galley's oar, and some must tend the steed—
This boy will bear a Scheik's chibouk, and that a Bey's jereed.
Oh! some are for the arsenals, by beauteous Dardinelles,
And some are in the caravan to Mecca's sandy dells.
The maid that Bandon gallant sought is chosen for the Dey—
She's safe—she's dead—she stabbed him in the midst of his Seral;
And when to die a death of fire, that noble maid they bore,
She only smiled—O'Driscoll's child—she thought of Baltimore.

'Tis two long years since sunk the town beneath that bloody band,
And all around its trampled hearths a larger concourse stand,
Where, high upon a gallows tree, a yelling wretch is seen—
'Tis Hackett of Dungarven—he who steered the Algerine!
He fell amid a sullen shout, with scarce a passing prayer,
For he had slain the kith and kin of many a hundred there—
Some muttered of Mac Murchadh, who brought the Norman o'er—
Some cursed him with Iscariot, that day in Baltimore.

* Baltimore is a small seaport in the barony of Carbery in South Munster. It grew up round a castle, O'Driscoll's, and was, after his ruin, colonised by the English. On the 20th of June, 1631, the two Algerine galleys landed in the dead of the night, sacked the town and bore off into Slavery all who were not too old, or too young, or too fierce for their purpose. The pirates were steered up the intricate channel by one Hackett, a Dungarven fisherman, whom they had taken at sea for that purpose. Two years after, he was convicted and executed for the crime. Baltimore never recovered this. To the Artist, the Antiquary and the Naturalist, its neighbourhood is most interesting.—See "The Ancient and Present State of the County and City of Cork," by Charles Smith, M. D., vol. 1. p. 270, second edition, Dublin, 1774.—*Author's note.*

STARS AND STRIPES.

BY WM. M. THACKERAY.
[*After Cooper.*]

CHAPTER I.

The King of France was walking on the terrace of Versailles; the fairest, not only of queens, but of women, hung fondly on the royal arm; while the children of France were indulging in their infantile hilarity in the alleys of the magnificent garden of Le Notre (from which Niblo's garden has been copied in our own Empire city of New York), and playing at leap-frog with their uncle, the count of Provence; gaudy courtiers, emblazoned with orders, glittered in the groves, and murmured frivolous talk in the ears of the high-bred beauty.

"Marie, my beloved," said the ruler of France, taking out his watch, "'tis time that the minister of America should be here."

"Your majesty should know the time," replied Marie Antoinette, archly, and in an Austrian accent; is not my royal Louis the first watchmaker in his empire?"

The King cast a pleased glance at his repeater, and kissed with courtly grace the fair hand of her who had made him the compliment. "My Lord Bishop of Autun, said he to Monsieur Perigord, who followed the royal pair in his quality of arch-chamberlin of the Empire, "I pray you look through the gardens, and tell his excellency Doctor Franklin that the King waits." The Bishop ran off, with more than youthful agility, to seek the United States minister. "These republicans," he added confidentially, and with something of a supercilious look, "are but rude courtiers, methinks."

"Nay," interposed the lovely Antoinette, "rude courtiers, sire, they may be; but the world boasts not of more accomplished gentlemen. I have seen no grandee of Versailles that has the noble bearing of this American envoy and his suite. They have the refinement of the old world with all the simple elegance of the new. Though they have perfect dignity of manner, they have an engaging modesty which I have never seen equalled by the best of the proud English nobles with whom they wage war. I am told they speak their very language with a grace which the haughty islanders who oppressed them never attained. They are independent, yet never insolent; elegant, yet always respectful; and brave, but not in the least boastful or revengeful."

"What! savages and all, Marie?" exclaimed Louis; laughing, and chucking the lovely Queen playfully under the royal chin. "But here comes Doctor Franklin, and your friend the cacique with him." In fact, as the monarch spoke, the minister of the United States made his appearance, followed by a gigantic warrior in the garb of his native woods.

Knowing his place as minister of a sovereign state (yielding even then in dignity to none, as it surpasses all now in dignity, in valour, honesty, in strength and civilization), the doctor nodded to the Queen of France, but kept his hat on as he faced the French monarch, and did not cease whittling the cane he carried in his hand.

"I was waiting for you, sir," the King said peevishly, in spite of the alarmed pressure which the queen gave his royal arm.

"The business of the republic, Sire, must take precedence even of your majesty's wishes," replied Dr. Franklin. "When I was a poor printer's boy, and ran errands, no lad could be more punctual than poor Ben Franklin; but all other things must yield to the service of the United States of North America. I have done. What would you sire?" and the intrepid republican eyed the monarch with a serene and easy dignity which made the descendant of St. Louis feel ill at ease.

"I wished to—to say farewell to Tatua before his departure," said Louis XVI., looking rather awkward. "Approach Tatua" And the gigantic Indian strode up, and stood undaunted before the first magistrate of the French nation: again the feeble monarch quailed before the terrible simplicity of the glance of the denizen of the primæval forests.

The redoubted chief of the Nosering Indians was decorated in his war-paint, and on his top-knot was a peacock's feather, which had been given him out of the head-dress of the beautiful Princess of Lambelle. His nose, from which hung the ornament from which his ferocious tribe took its designation, was painted with a light blue, a circle of green and orange was drawn round each eye, while serpentine stripes of black, white and vermillion alternately were smeared on his forehead, and descended over his cheek bones to his chin. His manly chest was similarly tatooed and painted, and round his brawny neck and arms hung innumerable bracelets and necklaces of human teeth, extracted (only one from each skull) from the jaws of those who had fallen by the terrible tomahawk at his girdle. His mocassins, and his blanket, which was draped on his arm and fell in picturesque folds to his feet, were fringed with tufts of hair—the black, the grey, the auburn, the golden ringlet of beauty, the red lock from the forehead of the Scottish or northern soldier, the snowy tress of extreme old age, the flaxen down of infancy—all were there, dreadful reminiscences of the chief's triumphs in war. The warrior leaned on his enormous rifle and faced the king.

"And it was with that carabine that you shot Wolfe in '57?" said Louis, eyeing the warrior and his weapon. "'Tis a clumsy lock, and methinks, I could mend it," he added mentally.

"The chief of the French pale-faces speaks truth," Tatua said, "Tatua was a boy when he first went on the war-path with Montcalm."

"And shot a Wolfe at the first fire!" said the king.

"The English are braves, though their faces are white," replied the Indian. "Tatua shot the raging Wolfe of the English; but the other wolves caused the foxes to go to earth." A smile played round Dr. Franklin's lips, as he whittled his cane with more vigour than ever.

"I believe, your excellency, Tatua has done good service elsewhere than at Quebec," the King said, appealing to the American envoy: "at Bunker's Hill, at Brandywine, at York Island? Now that Lafayette and my brave Frenchmen are among you, your excellency need have no fear but that the war will finish quickly—yes, yes, it will finish quickly. They will teach you discipline and the way to conquer."

"King Louis of France," said the envoy, clapping his hat down over his head, and putting his arms a-kimbo, "we have learned that from the British, to whom we are superior in everything; and I'd have your majesty to know, that in the art of whipping the world, we have no need of any French lessons. If your reglars jines General Washington, 'tis to larn from *him* how Britishers are licked, for I'm blest if *ye* knows the way yet."

Tatua said, "Ugh," and gave a rattle with the butt of his carabine, which made the timid monarch start; the eyes of the lovely Antoinette flashed fire, but it played round the head of the dauntless American envoy harmless as the lightning which he knew how to conjure away.

The king fumbled in his pocket, and pulled out a cross of the Order of the Bath. "Your excellency wears no honour," the monarch said; but "Tatua, who is not a subject, only an ally of the United States may. Noble Tatua, I appoint you Knight Companion of my noble Order of the Bath. Wear this cross upon your breast in memory of Louis of France;" and the king held out the decoration to the chief.

Up to that moment the chief's countenance had been impassible. No look either of admiration or dislike had appeared upon that grim and war-painted visage. But now, as Louis spoke, Tatua's face assumed a glance of ineffable scorn, as, bending his head he took the bauble.

"I will give it to one of my squaws," he said "The papooses in my lodge will play with it. Come Medicine, Tatua will go and drink fire-water," and shouldering his carabine, he turned his broad back without ceremony upon the monarch and his train, and disappeared down one of the walks of the garden. Franklin found him when his own interview with the French chief magistrate was over, being attracted to the spot where the chief was, by the crack of his well known rifle. He was laughing in his quiet way. He had shot the colonel of the Swiss Guards through his cockade.

Three days afterwards, as the gallant frigate, the *Repudiator*, was sailing out of Brest Harbour, the gigantic form of an Indian might be seen standing on the binnacle in conversation with Commodore Bowie, the commander of the noble ship. It was Tatua, the chief of the Nose-rings,

CHAPTER II.

Leatherlegs and Tom Coxswain did not accompany Tatua when he went to the Parisian metropolis on a visit to the father of the French pale-faces. Neither the legs nor the sailor cared for the gaiety and the crowd of cities; the stout mariner's home was in the puttock-shrouds of the old *Repudiator*. The stern and simple trapper loved the sound of the waters better than the jargon of the French of the old country. "I can follow the talk of a Pawnee," he said, "or wag my jaw, if so be necessity bids me to speak, by a Sioux's council fire; and I can patter Canadian French too with hunters who come for peltries to Machiches of Thichimuchimachy, but from the tongue of a Frenchwoman, with white flour on her head and warpaint on her face, the Lord deliver poor Natty Pumpo."

"Amen and amen!" said Tom Coxswain. "There was a woman in our aft-scuppers when I went a whalin in the little *Grampus*—and Lord love you, Pumpo you poor land-swab, she *was* as pretty a craft as ever dowsed a tarpauling—there was a woman on board the *Grampus*, who before we'd struck our first fish, or biled our first blubber, set the whole crew in mutiny. I mind me of her now, Natty—her eye was such a piercer that you could see to steer by it in a Newfoundland fog: her nose stood out like the *Grampus*' jib-boom, and her woice, Lord love you, her woice sings in my ears even now—it set the captain quarrelin with the mate, who was hanged in Boston harbour for harpooning of his officer in Baffin's Bay—it set me and Bob Bunting a pouring broadsides into each other's old timbers, whereas me and Bob was worth all the women that ever shipped a hawser. It cost me three years pay as I'd stowed away for the old mother, and might have cost me ever so much more, only, bad luck to me, she went and married a little tailor out of Nantucket, and I've hated women and tailors ever since!" As he spoke, the hardy tar dashed a drop of brine from his tawny cheek, and once more betook himself to splice the taffrail.

Though the brave frigate lay off Havre de Grace, he was not in it. The gallant Bowie and his intrepid crew made repeated descents upon the enemy's sea board. The coasts of Rutland and merry Leicestershire have still many a legend of fear to tell; and the children of the British fishermen tremble even now when they speak of the terrible *Repudiator*. She was the first of the mighty American war-ships that have taught the domineering Briton to respect the valour of the republic.

The novelist ever and anon finds himself forced to adopt the sterner tone of the historian, when describing deeds connected with his country's triumphs. It is well known that during the two months in which she lay off Havre, the *Repudiator* had brought more prizes into that port than had ever before been seen in the astonished French waters. Her actions with the *Dettingen* and the *Elector* frigates form part of our country's history; their defence—it may be said without prejudice to national vanity—was worthy of Britons and of the audacious foe they had to encounter; and it must be owned, that but for a happy fortune which presided on that day over the destinies of our country, the chance of the combat might have been in favour of the British vessel. It was not until the *Elector* blew up, at a quarter past 3, P. M., by a lucky shot which fell into her caboose, and communicated with the powder-magazine, that Commodore Bowie was enabled to lay himself on board the *Dettingen*, which he carried sword in hand. Even when the American boarders had made their lodgement on the *Dettingen*'s binnacle, it is possible that the battle would still have gone against us. The British were still seven to one; their carronades, loaded with marine-spikes, swept the gun-deck, of which we had possession, and decimated our little force; when a rifle-ball from the shrouds of the *Repudiator* shot Captain Mumford under the star of the Guelphic Order, which he wore, and the Americans, with a shout, rushed up the companion-way to the quarter deck, upon the astonished foe. Pike and cutlass did the rest of the bloody work. Rumford, the gigantic first lieutenant of the *Dettingen*, was cut down by Commodore Bowie's own sword as they engaged hand to hand; and it was Tom Coxswain who tore down the British flag, after having slain the Englishman at the wheel. Peace be to the souls of the brave! The combat was honourable alike to the victor and the vanquished; and it never can be said that an American warrior depreciated a gallant foe. The bitterness of defeat was enough to the haughty Islanders who had to suffer. The people of Herne Bay were lining the shore, near which the combat took place, and cruel must have been the pang to them when they saw the Stars and Stripes rise over the old flag of the Union and the *Dettingen* fall down the river in tow of the republic frigate.

Another action Bowie contemplated: the boldest and most daring perhaps ever imagined by seamen. It is this which has been so wrongly described by European annalists, and of which the British until now have maintained the most jealous secrecy.

Portsmouth harbour was badly defended. Our intelligence of that town and arsenal gave us precise knowledge of the disposition of the troops, the forts, and ships there; and it was determined to strike a blow which should shake the British power in its centre.

That a frigate of the size of the *Repudiator* should enter the harbour unnoticed, or could escape its guns unscathed, passed the notions of even American temerity. But upon the memorable 26th of June, 1782, the *Repudiator* sailed out of Havre Roads in a thick fog, under cover of which she entered and cast anchor in Bonchurch Bay, in the Isle of Wight. To surprise the Martello Tower and take the feeble garrison, thereunder, was the work of Tom Coxswain and a few of his blue jackets. The surprised garrison laid down their arms before him.

It was midnight before the boats of the ship, commanded by Lieutenant Bunker, pulled off from Bonchurch with muffled oars, and in another hour were off the Common Hard of Portsmouth, having passed the challenges of the *Thetis*, the *Amphion* frigates, and the *Polyanthus* brig.

There had been that day great feasting and merriment on board the flag ship lying in the harbour. A banquet had been given in honour of the birthday of one of the princes of the royal line of Guelphs—the reader knows the propensity of Britons when liquor is in plenty. All on board that ship were more or less overcome. The flag ship was plunged in a death-like and drunken sleep. The very officer of the watch was intoxicated; he could not see the *Repudiator*'s boats as they shot swiftly through the waters; nor had he time to challenge her seamen as they swarmed up the huge sides of the ship.

At the next moment Tom Coxswain stood at the wheel of the *Royal George*—the Briton who had guarded, a corpse at his feet. The hatches were down. The ship was in possession of the *Repudiator's* crew. They were busy in her rigging, bending her sails to carry her out of the harbour. The well-known heave of the men at the windlass, woke up Kempenfelt in his state-cabin; for who can tell by whom the lower-deck ports of the brave ship were opened, and how the haughty prisoners below sunk the ship and its conquerors rather than yield her as a prize to the republic!

Only Tom Coxswain escaped of victor and vanquished. His tale was told to his captain and to Congress, but Washington forbade its publication, and it was but lately that the faithful seaman told it to me, his grandson, on his hundred and fifteenth birth-day!

THE IRISH EXODUS.

Emigration has ceased to be a desperate, foolish, and discreditable act. It is no longer the resource of the criminal and the outcast. Twenty years ago the son of even a numerous family, did he but breathe a wish to emigrate, was placed under the ban of suspicion and contempt, and regarded as one born to break his mother's heart, and nevertheless forbidden, under the sternest maledictions, to persevere in his unnatural scheme. So great is the change that now the accomplished, the high-minded, the wealthy, the comfortable, are often the first to emigrate; and it is the common remark of emigrants, that almost anywhere in an Australian colony they will meet with better society than in the cramped and narrow-minded circle of an English country town. Indolence and stupidity are left behind to settle on their lees and finish out those vulgar quarrels which form so large a part of middle-class life in this country. Genius and nobility of mind are winging their flight to a freer and more genial atmosphere.

The Irish emigration is not only of the character we have described, but has other and still more honourable qualities. All that strength of affection, and those domestic virtues which distinguish that unfortunate race, and which have made them hug their poverty with too fatal a grasp, are now exerted in augmenting and dignifying the tide of adventures. But a few years ago the members of a family used to club their scanty means to enable some one to go as the precursor of the rest. That vanguard has now secured the ground and draws the rest of the column after it with increasing *momentum*. "Every American post," we are told by a Galway journal, "brings its supply of remittances, upon the receipt of which crowds of emigrants hurry away, with scarce a moment's delay or preparation. It seldom fails that a letter from an Irish emigrant in America is followed by the departure of one, two, three, or more of the relations at home." They are described as no longer broken-down tenants, but persons well enough to do in this world, whom the success of their friends in a strange land stimulates to follow. "The most remarkable instance of this change of feeling and of altered circumstances has been afforded this very day in an extensive emigration from the islands of Arran. Seven years ago, even while famine scared them from a wretched home, to part from their native islands would have been a second death to these primitive and secluded people. Now, when they are in comparative affluence, able to satisfy all their moderate wants in a home hallowed by many sacred traditions, a departure to a distant land causes them little or no emotion. To leave their home forever seems to give them as little concern as a visit a few years ago to a fair in Galway, where some change of weather might possibly detain them some two or three days. Some thirty or forty of them who have left this town to-day on their way to America, seemed quite unconcerned at their expatriation. They were fine young men and women—admirable specimens of the Irish peasant before famine had bowed his frame or crushed his spirit." The emigration fund used to be the savings of many years, and too often what was due to the landlord. It is now, in the majority of cases, supplied either as we have described, or by those who, having received assistance even from strangers at home, now return it with interest, and the repayment of such loans amount, we are told, to many thousands. Such a migration, it might be expected, would find its own level—that is, when the diminished numbers left behind found they had no longer too many rivals in the quest of employment. But thus far the end seems further off than ever. "The Mars steamer," says a Waterford paper of last Saturday, "left our quay yesterday, taking with her three hundred and twenty of our fellow countrymen, all bound for the United States and Australia. To judge from appearance, the majority of them were comfortable at home, but, seeing no prospect of advancing, they have made the far west the land of their adoption." A Clonmel paper assures us that whole parishes are preparing to leave that part of the country. "Within the last ten days upwards of one hundred and fifty persons of both sexes left Clonmel upon Bianconi's lone cars to Waterford; and when we add to these, if in our power to do so, the numbers which have passed either in their own or hired cars or drays, the amount would be incredible. Such it is, however, and where it will end no one can tell. The number of letters from all parts of the States passing through the post-office here, and dispersed all over the country, is amazing; and it is calculated that ninety-five, at least, out of every hundred contain remittances to pay the passage of either one, two, or even three out of every family. Spring work is very brisk, and better wages are giving, and the result is, that from the flight of the people, the scarcity of labourers, and the advance in the labour markets, neither her Majesty's recruiting officer, nor the sergeant of the Hon. East India Company, though the latter have lowered the standard, can do business. No idlers, and therefore no recruits.

It was to us no unreasonable anticipation that the whole native Irish race, so impulsive, so given to movement, so clinging and affectionate, should abandon a soil which the history of a thousand years assures them is no home for them. All the feelings of family, of race, of language, and religion, that have hitherto kept the Irishman at home, now conspire with equal force to send him abroad. He holds to the multitude either to stay or to go, and as the latter is now the fashion, he will fly as obstinately as before he stood his ground. Nor is it any superstitious and fanciful idea, but a plain account of facts, that just now is indeed the very time that this long-husbanded store of people should be poured upon the hitherto desert regions of the world. That Providence which, in its inscrutable ways has lately warned the Irish people in a terrible manner from their own ancient home, invites with equal kindliness to new homes, to rising industries, to fertile fields, to golden strands, to lengthening roads, to upstart cities in every part of the world. Never did all the earth so murmur with industry, and, comparatively with the sad tenor of human life, so "sing with gladness," as just now, when the vast reservoir of Irish population has suddenly burst its strong dams and flooded the world. It is impossible not to connect two things so double and opposite. We are aware that in speaking thus coolly and summarily of a national expatriation, we incur the suspicion of hard-heartedness, as if we were only too glad to see the backs of the Irish and their place desolate. On the contrary, so long as there appeared no sufficient certainty of employment at their journey's end, we have always deprecated wholesale schemes of emigration. But the suspicion altogether is only the relic of a now exploded prejudice. It is better for a man of strength and spirit that he should leave a country which, for one reason or another, does not afford him proper opportunities, and go where the world is more open. But the change, after all, is from one field of out-door labour to another. The plough and the spade, the pick and the shovel, are much the same in Missouri as in Tipperary; the only difference being that in the former place the labourer has enough for himself and his family, and in the latter has not. There are migrations that are indeed a change. When the English labourer is driven into the heart of the metropolis or a manufacturing town—when the child is suddenly transferred from hedgerows and cottage gardens—from brooks and rural sounds, to the jar of machinery and the whirl of the spindle—that is indeed a change; and such a change, in